



31 July 2024

REFERRAL RESPONSE – TREES AND LANDSCAPING

FILE NO: Development Applications: 200/2024/1

ADDRESS: 19 & 37 Darling Point Road DARLING POINT 2027

PROPOSAL: Change of use and alterations and additions of the existing residential flat building for campus student accommodation

FROM: David Prieto - Tree Assessment and Landscape Officer

TO: Mrs L Holbert

1. ISSUES

- The landscape plan shall be amended before Construction Certificate to show porous paving with the proposed Courtyard at rear and a canopy tree proposed within the rear setback of the property.

2. DOCUMENTATION

I refer to the following documents received for this report:

- Pre-DA Meeting Minutes, prepared by Assessment Officer L Holbert, dated 02/05/2023
- Statement of Environmental Effects, prepared by Urbis, dated June 2024
- Survey Plan Ref.79877 Sheets 1 to 4 Rev F, drafted by Rygate Surveyors, dated 14/09/2023
- Architectural plans drawn by Tribe Studio Architects Rev S3, dated 05/03/2024. Drawing Nos:

DA-00-001	DA-02-000	DA-02-001	DA-06-008	DA-06-011	DA-06-012	DA-06-013
DA-06-020	DA-10-002	DA-11-008	DA-11-011	DA-11-012	DA-11-013	DA-21-010
DA-21-012	DA-31-001	DA-31-002	DA-31-003	DA-82-000	DA-82-002	DA-84-001
DA-95-001						

- Stormwater drainage Plan Nos. SW-00 Rev A, SW-01 Rev B, SW-02 Rev B, SW-04 Rev A drawn by Harris Page & Associates P/L, dated 17/11/2023
- Arboricultural Impact Assessment Report, written by Andrew Morton – Earthscape Horticultural Services, dated 24/11/2023
- Landscape Plan Nos. L-DA-00, L-DA-01, L-DA-02, L-DA-03, L-DA-04, L-DA-10, L-DA-11, L-DA-12, L-DA-13, L-DA-20 Rev G, designed by 360, dated 27/11/2023

A site inspection was carried out on 26/07/2024.



3. RELEVANT CONTROLS

- Woollahra Local Environment Plan 2014
- Woollahra Development Control Plan 2015
- Woollahra Street Tree Master Plan 2014 – Part 1, Part 2 (Precinct Plans), Part 3 (appendices)
- Significant Tree Register 1991 Volume 1 Significant Trees Under Private Ownership, Volume 2 Significant Trees Under Private Ownership, Volume 3 Significant Trees, Volume 4 Significant Trees in Public Parks
- The comments and recommendations within this Referral Response have taken into consideration the guidelines established within Australian Standard AS 4373 – Pruning of amenity trees and Australian Standard AS 4970 – Protection of trees on development sites
- Apartment Design Guide – Tools for improving the design of residential apartment development, Part 4, 4P – Planting on Structures, written by NSW Department of Planning, Industry and Environment, dated July 2015

4. SUMMARY

The proposal is for alterations and additions to an existing building, including a vehicular access to the east to connect to other School facilities, stormwater and landscaping works.

A total of nine (9) trees have been found within the site, school grounds and public footpath. Two (2) are proposed to be removed and replace, with the rest being retained.

Proposed tree removal is supported, as previously advised on 6.2 of Pre-DA Meeting Minutes, dated 02/05/2024.

Council's Tree and Landscape Officer has determined that the development proposal is partially satisfactory in terms of tree preservation and landscaping. However, deep soil calculations are incorrect and overall deep soil doesn't comply with the DCP.

5. COMMENTS

Deep Soil, Landscape Plan & SEE

B3.7.1 *Landscape area and private open space* - Control C2, requires a 35% deep soil landscaped area for the site. Deep soil landscaped area is defined as '*the part of a site that contains landscaped area which has no above ground, ground level or subterranean development*'.

As per Council Web Maps, the site has an area of 988.96m²; however, the SEE indicates the site has an area of 962m². The following assessment will be based on the applicant's calculations for clarity.

As per Control C2, 336.7m² (35%) of deep soil is required. Landscape Diagrams on page 5 of the Landscape Plans indicate 164.4m² (17%) is proposed, approximately half of the requirement.



The plans show an additional area of 96.3m² of 'permeable paving deep soil' that if considered as part of the deep soil calculations would increase the total to 27%. However, as per the above-mentioned definition, 'permeable paving' does not technically conform to the definition.

Page 34 of the SEE include the following statement: *"given the constraints on the site, including the garages sitting below the front setback area and the topography of the rear yard, introducing traditional deep soil is difficult"* and *"the proposal seeks to include 164.4sqm of deep soil (31.6%) planting which results in a non-compliance with the 50% requirement outside of the buildable area"* and *"If this paving area was to be included within the deep soil calculation, the proposal would more than meet this control."*

It should also be noted that as per Figure 21 of B3.7 External areas of the DCP, Deep soil landscape area should have a minimum dimension of 4m for each canopy trees. This is only achieved for the proposed deep soil landscape area at rear adjacent to the southern boundary, between the building and the driveway. Given the existing garages and building and proposed OSD at the front, the 4m dimension might not be able to be achievable within the front setback, however it can be achieved at rear with minor amendments. This was previously advised to the applicant on 5.6 *Part B3.7: External Areas* of the Pre-DA Meeting Minutes.

In order to increase water infiltration at rear for root growth, the Landscape Plan shall be amended to show permeable paving for the entire courtyard that has an area of 55m². While the application would not technically comply with the required deep soil as per the DCP definition, the proposal would achieve 93% of the required deep soil for root growth; therefore, it can be supported.

Canopy Cover

Canopy Control C.1 of B.3.7.1 *Landscaped area and private* open space of the DCP applies to the site. The landscape plans include a substantial number of replacement planting that could achieve the control together with trees on the adjacent sites; however, some of those trees are in areas in close proximity to the building and/or undergrown structures.

The larger planting area is at rear with sufficient above ground space for a large canopy tree and ideal undergrown space for root growth, especially with a permeable paved courtyard. Therefore, a native large canopy tree will be conditioned to be planted between the new driveway and boundary to south instead of the Camellia shown on the plans. One (1) *Ficus rubiginosa* (Port Jackson Fig) x 300L shall be shown on the plans.

Trees

The following tree numbering has been adopted from the Arboricultural Impact Assessment Report, written by Andrew Morton from Earthscape Horticultural Services, dated 24/11/2023.

- Tree No.1 *Araucaria heterophylla* (Norfolk Island pine) large mature tree is located within the existing school grounds. The tree was found to be in good health and vigour. The tree is listed as part of Heritage Item No.87.

A new driveway, retaining wall, paving and landscaping is proposed within the TPZ and at a reasonable distance from the SRZ, with an overall level of encroachment of 17%. The works are considered to be a sustainable impact to the tree subject to project arborist supervision to minimise root damage.

- Tree No.2 *Lophostemon confertus* (Brushbox) is a mature tree is located within the existing school grounds. The tree was found to be in good health and vigour.



A new driveway, retaining wall, paving and landscaping is proposed within the TPZ and at a reasonable distance from the SRZ, with an overall level of encroachment of 6%. The works are considered to be a sustainable impact to the tree subject to project arborist supervision to minimise root damage.

- Tree No.3 *Archontophoenix cunninghamii* (Bangalow Palm) and Tree No.4 *Persea americana* (Avocado tree) are proposed to be removed. Their removal was supported during the Pre-DA assessment. The landscape Plan includes sufficient replacement planting on the site.
- Tree No.5 *Ficus microcarpa* var. 'Hillii' (Hills Weeping Fig). Large mature tree located within the public footpath. No changes are proposed to the front section of the existing building and there is sufficient crown clearance to accommodate scaffolding if necessary. The new SW discharge line is located outside of the TPZ and no roots are expected to be found within the proposed works area. Specific tree protection is not required.
- Tree No.6 *Plumeria acutifolia* (Frangipani), Tree No.8 *Podocarpus elatus* (Brown pine) & Tree No.9 *Magnolia grandiflora* (Bull Bay Magnolia) are located on the neighbouring property to the north at 23 Darling Point Rd. Proposed works are located outside of the TPZ and/or no roots are expected due to existing structures. Specific tree protection is not required.
- Tree No.7 *Dracaena draco* (Dragon Tree) is located within the front setback of the property and is proposed to be retained. Only landscaping works are proposed near the tree. Fencing required.

Tree damage security deposit

Considering nature of proposed works, a nominal value of \$10,000.00 will be applied to Tree No.5.

6. RECOMMENDATIONS

Council's Tree and Landscape Officer has determined that for the development proposal to be satisfactory in terms of tree preservation and landscaping, compliance with the following Conditions of Consent are recommended.

A. GENERAL CONDITIONS

A.

1.

Approved Plans and Supporting Documents

Those with the benefit of this consent must carry out all work and maintain the use and works in accordance with both the architectural plans to which is affixed a Council stamp “Approved” and supporting documents listed below unless modified by any following condition.

Where the plans relate to alterations or additions only those works shown in colour or highlighted are approved.

Reference	Description	Author	Date
L-DA-00, L-DA-01, L-DA-02, L-DA-03, L-DA-04, L-DA-10, L-DA-11, L-DA-12,	Landscape Plan	360	27/11/2023



L-DA-13, L-DA-20, Rev G			
-	Arboricultural Impact Assessment Report	Andrew Morton – Earthscape Horticultural Services	24/11/2023

Notes:

- Warning to Principal Certifier – You must always insist on sighting the original Council stamped approved plans. You must not rely solely upon the plan reference numbers in this condition. Should the Applicant not be able to provide you with the original copy Council will provide you with access to its files so you may review our original copy of the approved plans.
- These plans and supporting documentation may be subject to conditions imposed under section 4.17(1)(g) of the Act modifying or amending the development.

Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

Standard Condition A.2 (Autotext 2A)

A. 2.

Tree Preservation and Landscaping Works

While site work is being carried out, all landscape works must be undertaken in accordance with the approved landscape plan, arborist report, tree management plan and transplant method statement as applicable.

a) The following trees must be retained:

- Trees on private land:

Council Ref No	Species	Location	Dimension (metres)
1	<i>Araucaria heterophylla</i> (Norfolk Island pine)	Ascham School Grounds at 37 Darling Point Rd	27 x 12
2	<i>Lophostemon confertus</i> (Brushbox)	Ascham School Grounds at 37 Darling Point Rd	11 x 8
7	<i>Dracaena draco</i> (Dragon Tree)	Front	3.5 x 1.5

- Trees on Council land:

Council Ref No	Species	Location	Dimension (metres)
5	<i>Ficus microcarpa</i> var. 'Hillii' (Hills Weeping Fig)	Public footpath	22 x 30

The tree/s required to be retained must appear coloured green on the Construction Certificate plans.

b) The following trees may be removed:



Council Ref No	Species	Location	Dimension (metres)
3	<i>Archontophoenix cunninghamii</i> (Bangalow Palm)	Rear	12 x 7
4	<i>Persea americana</i> (Avocado tree)	Rear	10 x 8

The tree/s that may be removed must appear coloured red on the Construction Certificate plans.

This consent does not permit the holder, or any other person or agent, to enter any property for the purpose of undertaking approved tree works, without the consent of the owner of the property.

Only a Council authorised contractor will be allowed to undertake the pruning of trees located on Council managed land under the instruction of Council's Coordinator of Trees Maintenance in accordance with Council's Tree Management Policies and AS 4373-2007 Pruning of Amenity Trees. All costs associated with the approved pruning will be the responsibility of the applicant. Contact Council's Coordinator of Trees Maintenance on 9391 7000 to arrange the approved pruning works.

To facilitate the assessment of Council's tree assets for pruning, a physical outline of the approved works (if not already constructed) must be provided at the time of inspection via the use of height poles or scaffolding. The outline of the approved works will enable Council's Arboricultural Technical Officer to correctly identify the branches that require pruning to provide clearance for the approved works.

Condition Reason: To ensure all landscape works are undertaken in accordance with the approved plans and documents.

Standard Condition A.22 (Autotext 22A)

B. BEFORE DEMOLITION WORK COMMENCES

B.	1.	Payment of Security and Fees			
		Prior to any site works, the following security and fees must be paid in full:			
		Description	Amount	Indexed	Council Fee Code
		SECURITY under section 4.17(6) of the <i>Environmental Planning and Assessment Act 1979</i>			
		Tree Damage Security Deposit – making good any damage caused to any public tree	\$10,000.00	No	T114
		INSPECTION FEES under section 608 of the <i>Local Government Act 1993</i>			
		Public Tree Management Inspection Fee	\$242.00	No	T95



Street Tree Planting and Maintenance Fee	\$2,156.00	No	T95
Security Deposit Administration Fee	\$225.00	No	T16

How must the payments be made?

Payments must be made by:

- cash deposit with Council,
- credit card payment with Council, or
- bank cheque made payable to Woollahra Municipal Council.

The payment of a security may be made by a bank guarantee where:

- the guarantee is by an Australian bank for the amount of the total outstanding contribution,
- the bank unconditionally agrees to pay the guaranteed sum to the Council on written request by Council on completion of the development or no earlier than 12 months from the provision of the guarantee whichever occurs first --> NOTE: a time limited bank guarantee or a bank guarantee with an expiry date is not acceptable <-- #### Invalid Field Definition ####,
- the bank agrees to pay the guaranteed sum without reference to the Applicant or landowner or other person who provided the guarantee and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent,
- the bank guarantee is lodged with the Council prior to any site works being undertaken, and
- the bank's obligations are discharged when payment to the Council is made in accordance with the guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

Notes:

- An application must be made to Council by the person who paid the security for release of the securities held under section 4.17 of the Act.
- The securities will not be released until the Occupation Certificate has been lodged with Council, Council has inspected the site and Council is satisfied that the public works have been carried out to Council's requirements. Council may use part or all of the security to complete the works to its satisfaction if the works do not meet Council's requirements.
- Council will only release the security upon being satisfied that all damage or all works, the purpose for which the security has been held have been remedied or completed to Council's satisfaction as the case may be.
- Council may retain a portion of the security to remedy any defects in any such public work that arise within 6 months after the work is completed.
- Upon completion of each section of road, drainage and landscape work to Council's satisfaction, 90% of the bond monies held by Council for these works will be released upon application. 10% may be retained by Council for a further 6 month period and may be used by Council to repair or rectify any defects or temporary works during the 6 month period.
- The Refund of Security Bond Application form can be downloaded from www.woollahra.nsw.gov.au

Condition Reason: To ensure any relevant security and fees are paid.

Standard Condition B14 (Autotext 14B)



B. 2.

Establishment Tree Protection Measures within the Tree Protection Zones (TPZ)

Prior to any site works, tree protection measures must be established around all trees to be retained in accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970).

The Tree Protection Zones must be calculated in accordance with Section 3 of the Australian Standard Protection of Trees on Development Sites (AS 4970).

A Construction Site Management Plan, which clearly details the tree protection measures, must be prepared before the issue of a construction certificate. The tree protection measures must comply with the following requirements;

a) Tree Protection Fencing:

Council Ref No	Species	Tree Location	Fence Radius from Centre of Trunk (Metres)*
1	<i>Araucaria heterophylla</i> (Norfolk Island pine)	Ascham School Grounds at 37 Darling Point Rd	As per Appendix 6 Tree Protection Plan prepared by Andrew Morton – Earthscape Horticultural Services, dated 24/11/2023
2	<i>Lophostemon confertus</i> (Brushbox)	Ascham School Grounds at 37 Darling Point Rd	
7	<i>Dracaena draco</i> (Dragon Tree)	Front	1.0

Where this condition relates to trees on private property, the radial distance of fencing must be positioned only within the subject property relating to the development consent.

b) Tree Protection Zones must be fenced with a 1.8 metre high chainmesh or weldmesh fence and secured to restrict access. The fence must be established prior to any materials being bought onto the site and before the commencement of works including demolition. The area within the fence must be mulched and the mulch layer maintained to a depth of 75mm. The soil within the TPZ area must be kept in a moist condition for the duration of the construction works. Unless approved by the site arborist there must be no access within the TPZ area.

c) Signs identifying the Tree Protection Zone area must be erected on each side of the protection fence indicating the existence of a TPZ area. Signage must be visible from within the development site.

d) No excavation, construction activity, grade changes, storage of materials, stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within Tree Protection Zones, unless specified in this consent.

e) Temporary access within the TPZ area for pedestrian and machinery movements must only be permitted with the approval of the site arborist or unless specified in this consent.



- f) The site supervisor must be made aware of all tree protection requirements associated with these conditions of consent by the project arborist. Any subsequent site personnel and contractors to the site must be made aware of all tree protection requirements by the site foreman.
- g) The project arborist must provide written certification of compliance to the Principal Certifier with the above conditions.

Condition Reason: To ensure the protection of existing trees

Standard Condition B.5 (Autotext 5B)

B. 3.	Construction Management Plan Arborist Review
	<p>Prior to any site works, the Construction Management Plan must be reviewed and certified by the Project Arborist confirming that appropriate tree protection measures are implemented. The Construction Management Plan must be prepared in accordance with all tree protection measures specified within this consent.</p> <p>The plan must address:</p> <ul style="list-style-type: none">a) Drawings and method statement showing details and the location of hoarding and scaffold and any pruning required to accommodate the hoarding and scaffolding;b) The movement and positioning of heavy machinery, lifting cranes, pier drilling gantry etc.;c) Site construction access, temporary crossings and movement corridors on the site defined;d) Contractors car parking;e) Phasing of construction works;f) The space needed for all foundation excavations and construction works;g) All changes in ground level;h) Space for site sheds and other temporary structures such as toilets;i) Space for sorting and storing materials (short or long term), spoil and fuel and the mixing of cement and concrete; andj) The effects of slope on the movement of potentially harmful liquid spillages towards or into tree protection areas.
	<p>Condition Reason To ensure the Construction Management Plan incorporates measures for the protection of existing trees.</p> <p>Standard Condition B.28 (Autotext 28B)</p>
B. 4.	Arborists Documentation and Compliance Checklist
	<p>Prior to any site works, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent are implemented. Documentation for each site visit must include:</p>



- A record of the condition of trees to be retained prior to and throughout development.
- Recommended actions to improve site conditions and rectification of non-compliance.
- Recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
Prior to any site works	<ul style="list-style-type: none"> • Project Arborist to hold pre construction site meeting with the principal contractor to discuss methods and importance of tree protection measures and resolve any issues in relation to feasibility of tree protection requirements that may arise. Project Arborist to mark all trees approved for removal under DA consent. • The project arborist must install or supervise the installation of tree protection fencing, trunk protection, ground protection and traffic height control beam.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by the site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason To ensure that written certification that all tree protection measures and construction techniques relevant to this consent have been implemented.

Standard Condition B.29 (Autotext 29B)

B. 5.

Permissible work within Tree Protection Zones

Prior to any site works, the following works are permissible within the Tree Protection Zone:

Council Ref No	Species	Radius from Centre of Trunk (Metres)	Approved works
1	<i>Araucaria heterophylla</i> (Norfolk Island pine)	5.5	New driveway, retaining wall, paving and landscaping works
2	<i>Lophostemon confertus</i> (Brushbox)	4.0	
5	<i>Ficus microcarpa</i> var. 'Hillii'	10.0	Stormwater services, paving & landscaping works



	(Hills Weeping Fig)		
6	<i>Plumeria acutifolia</i> (Frangipani),	0.3	
7	<i>Dracaena draco</i> (Dragon Tree)	1.0	
The project arborist must provide written certification of compliance to the Principal Certifier with the above condition.			
Condition Reason To establish the works which are permissible within the Tree Protection Zones.			
Standard Condition B.30 (Autotext 30B)			

C. ON COMPLETION OF REMEDIATION WORK

Nil.

D. BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

D	1.	Tree Protection Plan and Specification
		<p>Before the issue of any construction certificate, the Principal Certifier must ensure the measures for tree protection detailed in this consent are in place. The construction certificate plans and specifications must show the following information:</p> <p>a) Trees to be numbered and coloured in accordance with these conditions:</p> <ul style="list-style-type: none"> shaded green where required to be retained and protected shaded red where authorised to be removed <p>b) Tree Protection Plan and Specification prepared by an arborist with a minimum qualification of AQF 5 including the following:</p> <ul style="list-style-type: none"> Tree Location Plan (to scale) based on/overlaid with the approved plans, indicating trees to be retained, removed or transplanted, and the location of tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and protected. The plan must also include site specific tree protection recommendations such as fencing, ground and trunk protection and other protection devices. Tree Protection Specification (written document) with tree protection requirements included from this consent and in accordance with sections 4 & 5 of AS4970, providing guidance for the implementation of tree protection methods. To minimise construction damage, the plan must show specific areas requiring works to be done under direct supervision of the project arborist. <p>c) References to applicable tree management plan, arborists report or transplant method statement.</p>



This plan must be kept on site until the issue of the occupation certificate for the whole building.

Condition Reason: To ensure the construction certificate includes the approved tree management details, and all measures are implemented.

Standard Condition D.30 (Autotext 30D)

D 2.	Modification of Details of the Development (section 4.17(1)(g) of the Act
	<p>Before the issue of any construction certificate, the approved plans and the construction certificate plans and specification, required to be submitted to the Principal Certifier under clause 7 of the Development Certification and Fire Safety Regulations, must detail the following amendments:</p> <p>a) An amended landscape plan shall be prepared before Construction Certificate to show the following:</p> <ul style="list-style-type: none">• The entire paving of the courtyard at rear shall be semi-porous or porous material to allow for water infiltration and gaseous exchange for root growth.• One (1) <i>Ficus rubiginosa</i> (Port Jackson Fig) x 300L shall be planted within the rear setback between the new driveway and building extension and adjacent to the boundary to south instead of the Camellia shown on the plans. It must not be planted less than 1.5m from proposed structures and services. <p>Notes:</p> <ul style="list-style-type: none">• Clause 20 of the Development Certification and Fire Safety Regulations prohibits the issue of any construction certificate subject to this condition unless the Principal Certifier is satisfied that the condition has been complied with.• Clause 19 of the Development Certification and Fire Safety Regulations prohibits the issue of any construction certificate that is inconsistent with this consent.
	<p>Condition Reason: To require design changes and/or further information to be provided to address specific issues identified during the assessment under section 4.15 of the Act.</p> <p>Standard Condition D.4 (Autotext 4D)</p>

E. BEFORE BUILDING WORK COMMENCES

Nil.

F. DURING BUILDING WORK

F 1.	Tree Preservation
	<p>While site work is being carried out, all persons must comply with Chapter E.3 – <i>Tree Management</i> of Council's Development Control Plan (DCP) 2015, other than where varied by this consent. The DCP applies to any tree with a height greater than 5 metres or a diameter spread of branches greater than 3 metres.</p>



General Protection Requirements:

- a) The tree protection measures must be maintained during all development work unless otherwise specified within these conditions of consent.
- b) Excavation must cease where tree roots with a diameter exceeding 50mm are exposed. The principal contractor must procure an inspection of the exposed tree roots by an arborist with a minimum AQF Level 5 qualification. Excavation must only recommence with the implementation of the recommendations of the arborist.
- c) Where there is damage to any part of a tree the principal contractor must procure an inspection of the tree by a qualified arborist immediately. The principal contractor must immediately implement treatment as directed by the arborist. The arborist is to supply a detailed report to the appointed certifier.

Trees must be pruned in accordance with Australian Standard AS 4373 "Pruning of Amenity Trees" and WorkCover NSW Code of Practice Amenity Tree Industry.

Condition Reason: To protect trees during the carrying out of sitework.

Standard Condition F.8 (Autotext 8F)

F	2.	Arborists Documentation and Compliance Checklist			
		<p>While site work is being carried out, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent have been implemented. Documentation for each site visit must include:</p> <ul style="list-style-type: none">a) a record of the condition of trees to be retained prior to and throughout development,b) recommended actions to improve site conditions and rectification of non-compliance, andc) recommendations for future works which may impact the trees. <p>All compliance certification documents must be kept on site by the site Supervisor.</p> <p>As a minimum the following intervals of site inspections must be made:</p> <table><tr><td>Stage of arboricultural inspection and supervision</td><td>Compliance documentation and photos must include</td></tr><tr><td> </td><td> </td></tr></table>		Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
Stage of arboricultural inspection and supervision	Compliance documentation and photos must include				



While site work is carried out	<ul style="list-style-type: none"> The project arborist must supervise all demolition and excavation works within the Tree Protection Zones or specified distances of nominated trees listed in this consent. Construction works within the TPZ of Tree Nos.1 & 2 shall be undertaken as per Appendix 4 – Recommendation and Appendix 6 – Tree Protection Plan of the AIA prepared by Andrew Morton – Earthscape Horticultural Services, dated 24/11/2023 Project Arborist to approve relocation of tree protection for landscaping. All landscaping works within the TPZ of trees to be retained are to be undertaken in consultation with the project Arborist to minimise the impact to trees. Regular inspections as indicated in the Tree Management Plan.
<p>Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.</p> <p>Additional site visits must be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.</p>	
<p>Condition Reason: To ensure that all tree protection measures and construction techniques relevant to this consent have been implemented.</p>	
Standard Condition F.45 (Autotext 45F)	

F 3.

Replacement/Supplementary trees which must be planted

While site work is being carried out, any replacement or supplementary tree must be grown in accordance with Tree stock for landscape use (AS 2303). The following replacement tree/s must be planted in deep soil landscaped area <delete this if planted in a planter box on a structure> and maintained in a healthy and vigorous condition. If the replacement tree is found to be faulty, damaged, dying or dead before it attains a size whereby it becomes a prescribed tree in accordance with Chapter E.3 of Council's Development Control Plan, it must be replaced with another of the same species, which complies with the criteria outlined below.

Species/Type	Planting Location	Container Size/Size of Tree (at planting)	Minimum Dimensions at Maturity (metres)
1 x <i>Ficus rubiginosa</i> (Port Jackson Fig)	Rear, adjacent to south boundary	300L	10 x 8
1 x <i>Backhousia citriodora</i> (Lemon Myrtle)	As per L-DA-13 Landscape Planting Zones Plan Rev G, designed by 360, dated 27/11/2023		
2 x <i>Cyathea cooperi</i> (Australian Tree Fern)			
3 x <i>Lagerstroemia indica</i> (Crepe Myrtle)			
1 x <i>Melaleuca styphelioides</i> (Prickly-Leaved Paperbark)			



6 x <i>Tristanopsis laurina</i> 'Luscious' (Luscious Water Gum) 1 x <i>Archontophoenix alexandrae</i> (Alexandra Palm) 1 x <i>Banksia serrata</i> (Old Man Banksia)	
The project arborist must document compliance with the above condition.	
Condition Reason: To ensure the provision of appropriate replacement planting.	
Standard Condition F.46 (Autotext 46F)	

F 4.

Level changes in the vicinity of trees

While site work is being carried out, no level changes must occur within the specified radius from the trunks of the following trees.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
1	<i>Araucaria heterophylla</i> (Norfolk Island pine)	Ascham School Grounds at 37 Darling Point Rd	9.0 (excluding the driveway)
2	<i>Lophostemon confertus</i> (Brushbox)		4.0

The project arborist must document compliance with the above condition.

Condition Reason: To ensure level changes would not adversely impact upon the health of existing trees.

Standard Condition F.49 (Autotext 49F)

F 5.

Hand excavation within tree root zones

While site work is being carried out, demolition of underground structures such as existing footings and approved excavation undertaken within the specified radius from the trunks of the following trees must be carried out by hand.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
1	<i>Araucaria heterophylla</i> (Norfolk Island pine)	Ascham School Grounds at 37 Darling Point Rd	9.0
2	<i>Lophostemon confertus</i> (Brushbox)		4.0

Small hand tools such as mattocks or using compressed air or water jetting only must be used. Roots with a diameter equal to or in excess of 50mm must



	<p>not be severed or damaged unless approved in writing and documented by the project arborist.</p> <p>Mechanical excavation is permitted beyond this radius when root pruning by hand along the hand excavated perimeter line is completed. Exposed roots to be retained must be covered with mulch or a geotextile fabric and kept in a moist condition and prevented from drying out.</p> <p>All root pruning must be undertaken in accordance with the Australian Standard 4373 "Pruning of Amenity Trees" and carried out by a qualified Arborist (minimum qualification of Australian Qualification Framework Level 5 or recognised equivalent).</p> <p>The project arborist must document compliance with the above condition.</p> <p>Condition Reason: To ensure demolition and excavation works would not adversely impact upon the health of existing trees.</p> <p>Standard Condition F.50 (Autotext 50F)</p>
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G. BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

<p>G 1.</p>	<p>Amenity Landscaping</p> <p>Before the issue of any occupation certificate, all approved amenity landscaping (screen planting, soil stabilisation planting, etc.) and replacement/supplementary tree planting must be installed in accordance with the approved plans and documents and any relevant conditions of consent.</p> <p>Condition Reason: To ensure that the environmental impacts of the development are mitigated by approved landscaping prior to the occupation of the development.</p> <p>Standard Condition G.6 (Autotext 6G)</p>
<p>G 2.</p>	<p>Landscaping</p> <p>Before the issue of any occupation certificate, the Principal Certifier and Council must be provided with a works-as-executed landscape plan and certification from a qualified landscape architect/designer, horticulturist and/or arborist as applicable to the effect that the landscaping and replacement/supplementary tree planting works comply with this consent.</p> <p>Condition Reason: To ensure that all landscaping work is completed prior to occupation.</p> <p>Standard Condition G.26 (Autotext 26G)</p>
<p>G 3.</p>	<p>Arborists Documentation and Compliance Checklist – Prior to any occupation certificate</p>



Before the issue of any occupation certificate, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent have been implemented. Documentation for each site visit must include:

- a) A record of the condition of trees to be retained prior to and throughout development.
- b) Recommended actions to improve site conditions and rectification of non-compliance.
- c) Recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site by the site Supervisor.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
Prior to the issue of any occupation certificate	Ensure all trees conditioned to be planted as part of this consent have been planted in accordance with the details prescribed in this consent.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason: To ensure that all tree protection measures and construction techniques relevant to this consent are implemented.

Standard Condition G.34 (Autotext 34G)

G 4.

Arborists Documentation and Compliance Checklist – Prior to an occupation certificate for the whole building

Before the issue of any occupation certificate for the whole of the building, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent have been implemented. Documentation for each site visit must include:

- a) A record of the condition of trees to be retained prior to and throughout development.
- b) Recommended actions to improve site conditions and rectification of non-compliance.
- c) Recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
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Before the issue of any occupation certificate for the whole of the building	<ul style="list-style-type: none">• The project arborist must supervise the dismantling of tree protection measures• After all demolition, construction and landscaping works are complete the project Arborist must assess that the subject trees have been retained in the same condition and vigour. If changes to condition are identified the project Arborist must provide recommendations for remediation.
<p>Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.</p> <p>Additional site visits must be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.</p>	
<p>Condition Reason: To ensure that all tree protection measures and construction techniques relevant to this consent are implemented.</p>	
<p>Standard Condition G.35 (Autotext 34G)</p>	

H. OCCUPATION AND ONGOING USE

H	1.	Maintenance of Landscaping
	During the occupation and ongoing use, all landscaping must be maintained in general accordance with this consent.	
	This condition does not prohibit the planting of additional trees or shrubs subject that they are native species endemic to the immediate locality.	
	Notes: <ul style="list-style-type: none">• This condition also acknowledges that development consent is not required to plant vegetation and that over time additional vegetation may be planted to replace vegetation or enhance the amenity of the locality.• Owners must have regard to the amenity impact of trees upon the site and neighbouring land.	
		Condition Reason: To ensure that the landscaping design intent is not eroded over time by the removal of landscaping or inappropriate exotic planting.
Standard Condition H.25 (Autotext 25H)		

I. BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

Nil.

J. BEFORE SUBDIVISION WORK COMMENCES

Nil.

K. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE (subdivision works)

Nil.



L. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE (no subdivision works)

Nil.

M. BEFORE ISSUE OF A STRATA CERTIFICATE

Nil.

< For special bespoke conditions use the following table and insert under the correct heading above. Delete if not applicable>

1.	<Insert Condition Title>
	<Insert condition text in When, What, How format> Notes: <ul style="list-style-type: none">• <insert notes as bullet points if applicable>
	Condition Reason: <Insert condition reason>

David Prieto
Tree Management & Landscape Officer

01/08/2024
Completion Date