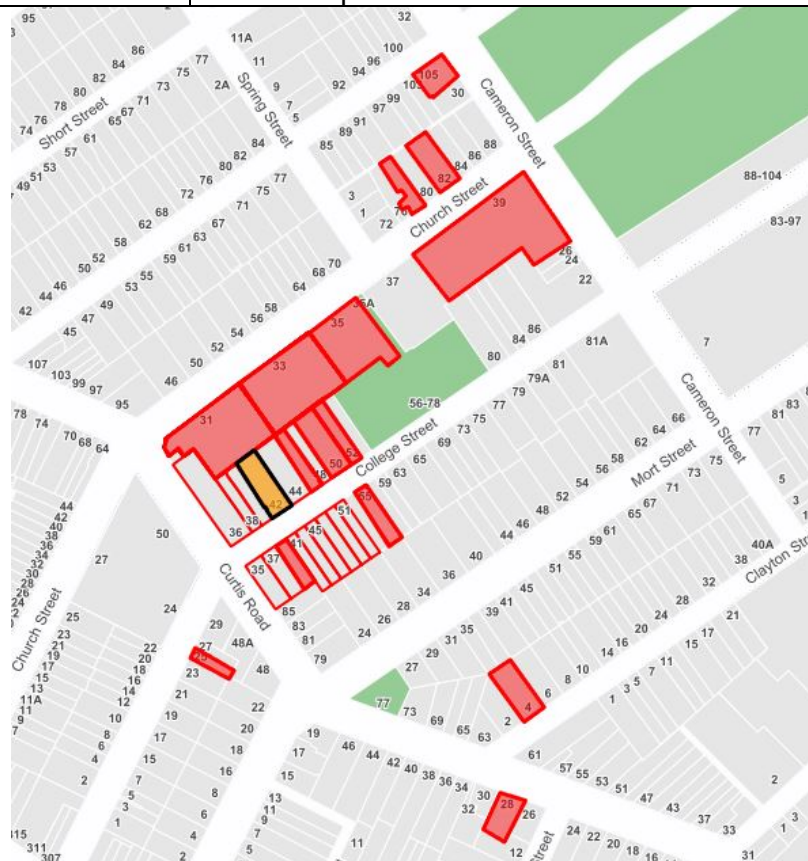






# INNER WEST

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	DA/2021/0848
<b>Address</b>	42 College Street BALMAIN NSW 2041
<b>Proposal</b>	Alterations and additions to dwelling at ground and first floor, new pool and tree removal.
<b>Date of Lodgement</b>	14 September 2021
<b>Applicant</b>	Ballast Point Pty Ltd
<b>Owner</b>	Ms Emma L Bull
<b>Number of Submissions</b>	19
<b>Value of works</b>	\$585,000.00
<b>Reason for determination at Planning Panel</b>	Number of submissions
<b>Main Issues</b>	Tree loss, Design in Conservation Area
<b>Recommendation</b>	Approved with Conditions
<b>Attachment A</b>	Recommended conditions of consent
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Heritage Impact Statement
<b>Attachment D</b>	Arborist report



**LOCALITY MAP**

Subject Site		Objectors		↑ N
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council for alterations and additions to dwelling at ground and first floor, new pool and tree removal. at 42 College Street BALMAIN NSW 2041.

The application was notified to surrounding properties and 19 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Loss of 3 x significant trees
- Compatibility of proposed additions to existing building in conservation area

The application is recommended for approval subject to conditions.

## 2. Proposal

Alterations and additions to dwelling at ground and first floor, new pool and tree removal including:

- Upper level additions to the existing dwelling involving demolition of an existing first floor balcony extension and construction of a new first floor extension containing a master suite.
- Construction of a new covered outdoor seating area.
- Construction of a new 'plunge' pool.
- Removal of 3 x trees to allow for pool construction.

## 3. Site Description

The subject site is located on the north-western side of College Street. The site has a total area of 272.3sqm. The site has a frontage to College Street of 9.985 metres. The site supports a two level dwelling house and rear studio/shed. The adjoining properties support dwelling houses with a three storey flat building located to the rear.

The property is located within a conservation area and in the vicinity of a heritage Item at 36 College Street.

The following trees are located on the site and within the vicinity.

- *Eucalyptus microcorys* (Tallowwood) - adjacent to rear boundary of the subject site.
- *Eucalyptus botryoides* (Bangalay) - adjacent to rear boundary of the subject site.
- *Corymbia tessellaris* (Moreton Bay Ash) - adjacent to rear boundary of the subject site.
- *Eucalyptus saligna* (Sydney Blue Gum) - in rear yard of 44 College Street adjacent to side boundary of the subject site.
- *Brachychiton rupestris* (Narrow Leaved Bottle Tree) - in rear yard of 44 College Street adjacent to side boundary of the subject site.

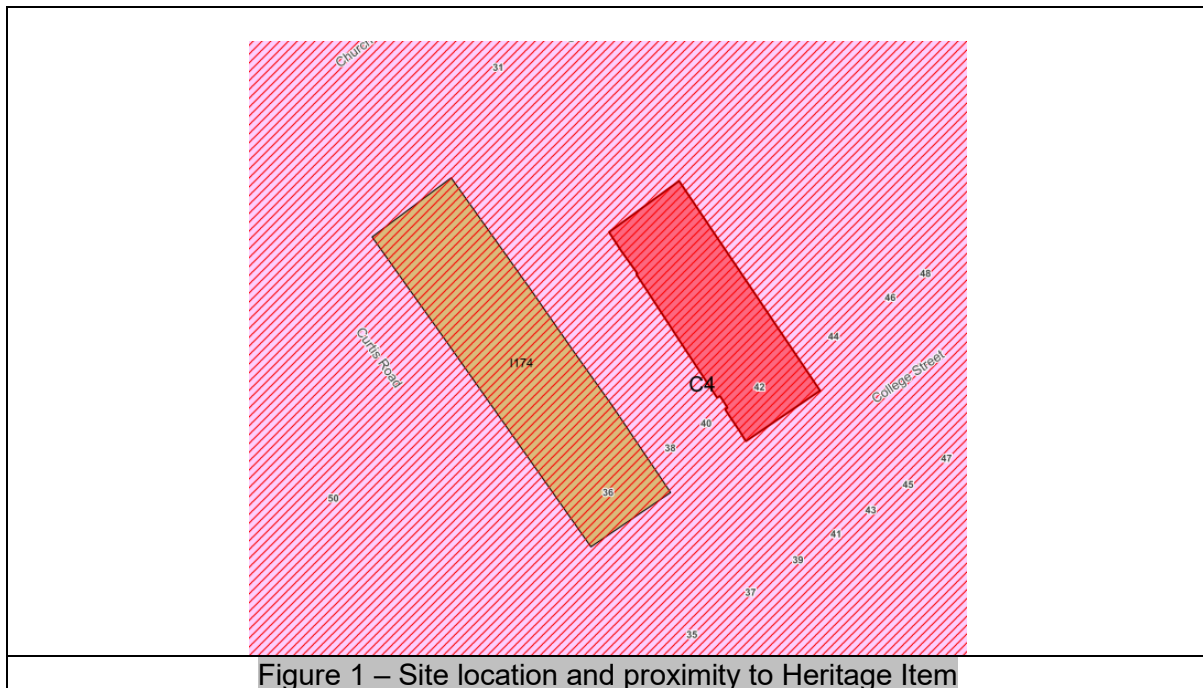


Figure 1 – Site location and proximity to Heritage Item

#### 4. Background

##### 4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

##### Subject Site

Application	Proposal	Decision & Date
D/2009/496	Proposed alterations and additions to an existing dwelling.	11/01/2010 Approved
D/2017/372	Pruning of one Eucalyptus microcorys (Tallowwood), one Eucalyptus botryoides (Bangalay) and one Eucalyptus spp. (Gum) from the rear of the property.	05/10/2017 Approved

##### Surrounding properties

No recent development history

##### 4(b) Application history

Not applicable

#### 5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

### 5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*

The following provides further discussion of the relevant issues:

#### **5(a)(i) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

A BASIX Certificate was submitted with the application and will be referenced in any consent granted.

#### **5(a)(ii) State Environmental Planning Policy (Vegetation in Non-Rural Areas) (Vegetation SEPP)**

*Vegetation SEPP* concerns the protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council's DCP.

The application seeks the removal of vegetation from within the site. The application was referred to Council's Tree Management Officer whose comments are summarised as follows:

The rear alterations and additions are within the TPZs of 3 site and 2 neighbouring trees at 44 College Street. The extent of the rear addition will encroach into the SRZs of the 3 site trees, Tree 1 *Eucalyptus microcorys* (Tallowwood), Tree 2 *Eucalyptus botryoides* (Bangalay), Tree 3 *Corymbia tessellaris* (Moreton Bay Ash).

The level of impact to neighbouring Tree 4 *Eucalyptus saligna* (Sydney Blue Gum) is minor and tolerable. Neighbouring Tree 5 *Brachychiton rupestris* (Narrow Leaved Bottle Tree) will tolerate the impact on one side of its SRZ and TPZ.

Impacts on all 5 trees are on one side of the TPZ and are compensation for in undisturbed areas, contiguous with the TPZ. Consequently, no objections are raised to the alterations and additions to the dwelling.

However, Tree 1, Tree 2, and Tree 3 have high environmental and landscape significance. They make a contribution to the green amenity of the immediate and local area and are rated as high priority for retention. When assessed from the ground on 8/10/2021 they showed no structural defects.

Excavation for the plunge pool will be within the SRZs of Tree 1, Tree 2 and Tree 3. Excavation within the SRZs can lead to whole tree failure and is not supported. Removal of the trees would be required if the pool is to be constructed. In the Arboricultural Impact Appraisal (AIA), prepared by Naturally Trees, 24 August 2021, the comment that removal of three high category trees can be compensated for with replacement planting within the site is unrealistic and unachievable. Canopy replacement would take a minimum of 20 years and there is inadequate planting space on the site for canopy trees.

Tree 7 *Tibouchina lepidota* 'Alstonville' (Tibouchina) located within 2 metres of the building has moderate retention value and is non prescribed.

[Note: In the AIA, Naturally Trees, 24 August 2021 several trees were incorrectly identified. Tree 2 was identified as *Eucalyptus microcorys* (Tallowwood), Tree 5 as *Brachychiton populneus* (Lacebark Kurrajong) and Tree 7 as *Tibouchina jules* (Tibouchina)]

The proposed pool is considered unacceptable with regard to the Vegetation SEPP as it results in the removal of significant vegetation. Consequently, proposed alterations to the dwelling are satisfactory subject to the imposition of conditions included in the recommendation of this report that delete the proposed pool and require retention of existing significant trees on the site. Conditions are provided to ensure tree protection.

### 5(a)(iii) *Leichhardt Local Environment Plan 2013 (LLEP 2013)*

The application was assessed against the following relevant clauses of *the Leichhardt Local Environmental Plan 2013*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.7 - Demolition
- Clause 4.3A - Landscaped areas for residential accommodation in Zone R1
- Clause 4.4 – Floor Space Ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Acid Sulfate Soils
- Clause 6.2 - Earthworks
- Clause 6.4 - Stormwater management

#### (i) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned R1 General Residential under *LLEP 2013*. *LLEP 2013* defines the development as:

*‘dwelling house means a building containing only one dwelling’.*

The development is permitted with consent within the land use table. Subject to conditions contained in the recommendation the development is consistent with the objectives of the R1 zone. The following table provides an assessment of the application against the development standards:

Standard	Proposal	non compliance	Complies
<b>Floor Space Ratio</b> Maximum permissible: 0.9:1 or 245.1sqm	0.67:1 or 182.8sqm	-	Yes
<b>Landscape Area</b> Minimum permissible: 20% or 54.5sqm	20.1% or 54.7sqm	-	Yes
<b>Site Coverage</b> Maximum permissible: 60% or 163.4sqm	51.1% or 139.1sqm	-	Yes

5(c) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013.

<b>LDCP2013</b>	<b>Compliance</b>
<b>Part A: Introductions</b>	
Section 3 – Notification of Applications	Yes
<b>Part B: Connections</b>	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
B3.1 Social Impact Assessment	Yes
B3.2 Events and Activities in the Public Domain (Special Events)	Yes
<b>Part C</b>	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.3 Alterations and additions	Yes
C1.4 Heritage Conservation Areas and Heritage Items	No - See discussion
C1.5 Corner Sites	Yes
C1.6 Subdivision	Yes
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	Yes
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	Yes
C1.14 Tree Management	No - See discussion
C1.15 Signs and Outdoor Advertising	Yes
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	Yes
C1.17 Minor Architectural Details	Yes
C1.18 Laneways	Yes
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	Yes
C1.20 Foreshore Land	Yes
C1.21 Green Roofs and Green Living Walls	Yes
<b>Part C: Place – Section 2 Urban Character</b>	

C.2.2.2.5: Mort Bay Distinctive Neighbourhood C2.2.2.5(a) Lower Slopes Sub Area	Yes - See discussion
<b>Part C: Place – Section 3 – Residential Provisions</b>	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes
C3.3 Elevation and Materials	Yes
C3.4 Dormer Windows	Yes
C3.5 Front Gardens and Dwelling Entries	Yes
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes
C3.8 Private Open Space	Yes
C3.9 Solar Access	Yes
C3.10 Views	Yes
C3.11 Visual Privacy	Yes
C3.12 Acoustic Privacy	Yes
C3.13 Conversion of Existing Non-Residential Buildings	Yes
C3.14 Adaptable Housing	Yes
<b>Part C: Place – Section 4 – Non-Residential Provisions</b>	
C4.1 Objectives for Non-Residential Zones	n/a
C4.2 Site Layout and Building Design	n/a
C4.3 Ecologically Sustainable Development	n/a
C4.4 Elevation and Materials	n/a
C4.5 Interface Amenity	n/a
C4.6 Shopfronts	n/a
C4.7 Bulky Goods Premises	n/a
C4.8 Child Care Centres	n/a
C4.9 Home Based Business	n/a
C4.10 Industrial Development	n/a
C4.11 Licensed Premises and Small Bars	n/a
C4.12 B7 Business Park Zone	n/a
C4.13 Markets	n/a
C4.14 Medical Centres	n/a
C4.15 Mixed Use	n/a
C4.16 Recreational Facility	n/a
C4.17 Sex Services Premises	n/a
C4.18 Vehicle Sales or Hire Premises And Service Stations	n/a
C4.19 Vehicle Repair Station	n/a
C4.20 Outdoor Dining Areas	n/a
C4.21 Creative Industries	n/a
<b>Part D: Energy</b>	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
D2.4 Non-Residential Development	Yes
D2.5 Mixed Use Development	Yes
<b>Part E: Water</b>	
Section 1 – Sustainable Water and Risk Management	

E1.1 Approvals Process and Reports Required with Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.2 Integrated Water Cycle Plan	Yes
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.1.4 Flood Risk Management Report	Yes
E1.1.5 Foreshore Risk Management Report	Yes
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.3 On-Site Detention of Stormwater	Yes
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	Yes
E1.2.6 Building in the vicinity of a Public Drainage System	Yes
E1.2.7 Wastewater Management	Yes
E1.3 Hazard Management	Yes
E1.3.1 Flood Risk Management	Yes
E1.3.2 Foreshore Risk Management	Yes
<b>Part F: Food</b>	n/a
<b>Part G: Site Specific Controls</b>	n/a

The following provides discussion of the relevant issues:

*C1.4 Heritage Conservation Areas and Heritage Items; C.2.2.2.5: Mort Bay Distinctive Neighbourhood; and C2.2.2.5(a) Lower Slopes Sub Area*

The subject property at 42 College Street, Balmain, is a contributory dwelling located within the Town of Waterview Heritage Conservation Area. It is also in the vicinity of the heritage listed Royal Oak Hotel, including interiors, at 36 College Street, Balmain.

The Statement of Significance for the Town of Waterview Heritage Conservation Area is in the Leichhardt DCP 2013, which is available via the link below:

<https://www.innerwest.nsw.gov.au/develop/planning-controls/heritage-and-conservation/heritage-conservation-areas>

The Statement of Significance for the heritage listed Royal Oak Hotel is available from the Office of Environment & Heritage, heritage database website at:

[https://www.hms.heritage.nsw.gov.au/App/Item/SearchHeritageItems?\\_ga=2.194634413.1287674448.1622413288-185055993.1593564306](https://www.hms.heritage.nsw.gov.au/App/Item/SearchHeritageItems?_ga=2.194634413.1287674448.1622413288-185055993.1593564306)

*Clause 5.10: Heritage Conservation* from the Leichhardt LEP 2013 and *Parts C1.3: Alterations and additions, C1.4: Heritage conservation areas and heritage items, C.2.2.2.5: Mort Bay Distinctive Neighbourhood, C2.2.2.5(a) Lower Slopes Sub Area* and *C3.6: Fences* from the Leichhardt DCP 2013 apply to the proposal.

It is evident in the 1943 aerial that the original dwelling contained a hipped roof form over the main building form. This has been altered with dormer windows in the south (front) and east roof planes. The rear hip has been replaced with a first floor deck with a gable roof form over.



The proposal seeks to remove the gable roof form and deck and replace with a rear first floor addition containing a bedroom. The proposal also includes partial demolition of the remaining hipped roof form for the first floor addition. Control C4 of Part C1.3 of the DCP requires that where buildings contain original form or detail which has been compromised, the integrity of the original form and detail should be enhanced, rather than being justification for further compromise. Controls C3 b. and C6 of Part C1.4 of the DCP requires that development within HCAs retain whole roof forms.

The proposed first floor addition to the rear should not involve any further intrusion into the remaining original pyramidal hipped roof form of the dwelling.

Materials, finishes, textures and colours must be complementary to the colour schemes of contributory dwellings within the streetscape. The Materials Schedule is to be amended replacing the proposed vertical cladding boards with horizontal cladding boards, particularly in the south east (front) elevation of the rear addition. This is to ensure the cladding profile is characteristic of complementary cladding used in the HCA. It is proposed to use grey to match the existing. Greys and blacks are generally not acceptable and must be avoided. The applicant is encouraged to consider replacing the proposed grey with light, warm, earthy, tones including beige and off whites.

The proposal includes the removal of 3 trees to accommodate the plunge pool; identified as Trees 1,2 and 3 in the Arborist Report. Trees 1 and 2 are Eucalyptus microcorys and Tree 3 is a Corymbia tessellaris. Trees 1 and 2 are graded with a high significance and Tree 3 with medium significance. The Arborist Report categorises the trees as *A2: Minor defects that could be addressed by remedial care and/or work to adjacent trees*. The Statement of Significance for the Town of Waterview HCA does not specifically mention trees or landscape settings as contributing elements. However, their removal will be noticeable from the public domain and will impact on the aesthetics of the streetscape and the HCA.

The drawings include an annotation that a new wire front fence and gates are proposed to replace the existing front fence. The front fence is to be characteristic of complementary fences in the streetscape.

#### C1.14 Tree Management

This issue has been addressed in section 5(a)(i) above.

#### 5(e) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

#### 5(f) The suitability of the site for the development

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

### 5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. 19 submissions were received in response to the initial notification.

The following issues raised in submissions have been discussed in this report:

- Loss of the trees within the rear of the site would result in a significant loss of environmental amenity to the area. Refer to Section 5(a)(i) of the report.

### 5(h) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

## 6 Referrals

### 6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Development Engineer
- Heritage Officer
- Urban Forest Officer

### 6(b) External

The application was not required to be referred to any external bodies.

## 7. Section 7.11 Contributions/7.12 Levy

Section 7.12 levies are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$5,850 would be required for the development under the *Former Leichhardt Local Government Area Section 7.12 Development Contributions Plan 2020*. A condition requiring that contribution to be paid is included in the recommendation.

## 8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Leichhardt Local Environmental Plan 2013* and *Leichhardt Development Control Plan 2013*.

Subject to recommended conditions of consent the development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

## 9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2021/0848 for Alterations and additions to dwelling at ground and first floor at 42 College Street BALMAIN NSW 2041 subject to the conditions listed in Attachment A below.

**Attachment A – Recommended conditions of consent**

**CONDITIONS OF CONSENT**

**DOCUMENTS RELATED TO THE CONSENT**

**1. Documents related to the consent**

The development must be carried out in accordance with plans and documents listed below:

<b>Plan, Revision and Issue No.</b>	<b>Plan Name</b>	<b>Date Issued</b>	<b>Prepared by</b>
A2.2/A	Existing Plans	31/8/2021	Ballast Point
A2.3/A	Existing Plans	31/8/2021	Ballast Point
A2.4/A	Demolition Plan & Elevation	31/8/2021	Ballast Point
A2.5/A	Site Roof Plan	31/8/2021	Ballast Point
A2.6/A	Ground Floor & Landscape Plan	31/8/2021	Ballast Point
A2.7/A	First Floor Plan	31/8/2021	Ballast Point
A3.1/A	Elevations	31/8/2021	Ballast Point
A3.21/A	Elevations	31/8/2021	Ballast Point
A3.3/A	Elevations	31/8/2021	Ballast Point
A3.4/A	Elevations	31/8/2021	Ballast Point
A3.5/A	Sections	31/8/2021	Ballast Point
A9.1/A	Materials Schedule	31/8/2021	Ballast Point

SW-01	Stormwater Construction Notes	31/8/2021	Neilly Davies Consulting Engineers
SW-02	Stormwater Management Plan	31/8/2021	Neilly Davies Consulting Engineers
SW-03	Erosion & Sediment Control Plan	31/8/2021	Neilly Davies Consulting Engineers
A426561	BASIC Certificate	19/8/2021	Ballast Point
-	Heritage Impact Statement	23 August 2021	Touring The Past
-	Arborist Report	24 August 2021	Naturally Trees

As amended by the conditions of consent.

**DESIGN CHANGE**

**2. Design Change**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:

- a. The plunge pool is to be deleted and the existing trees on the site are to be retained and protected.
- b. The upper level additions shall be designed so as not to result in a footprint within the main original roof form that is greater than existing.
- c. The proposed front fence is to be characteristic of complementary fences in the streetscape.

**FEES**

**3. Security Deposit - Custom**

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of

carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

<b>Security Deposit:</b>	\$2254.00
<b>Inspection Fee:</b>	\$241.50

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

**4. Section 7.12 (formerly section 94A) Development Contribution Payments**

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* and in accordance with *Former Leichhardt Local Government Area Section 7.12 Development Contributions Plan 2020*.

Note:

Copies of these contribution plans can be inspected at any of the Inner West Council Service Centres or viewed online at <https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment amount\*:

\$5,850.00

\*Indexing of the Section 7.12 contribution payment:

The contribution amount to be paid to the Council is to be adjusted at the time of the actual payment in accordance with the provisions of the relevant contributions plan. In this regard, you are recommended to make contact with Inner West Council *prior to arranging your payment method* to confirm the correct current payment amount (at the expected time of payment).

Payment methods:

The required contribution must be paid either **by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000))**. It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. **Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.**

**5. Long Service Levy**

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

**GENERAL CONDITIONS**

**6. Boundary Alignment Levels**

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

**7. Tree Protection**

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council’s Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council’s *Development Fact Sheet—Trees on Development Sites*.

No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council’s Tree Management Controls at any time.

The trees identified below are to be retained and protected in accordance with the conditions of consent throughout the development:

Tree No.	Botanical/Common Name	Location
1	<i>Eucalyptus microcorys</i> (Tallowwood)	Rear
2	<i>Eucalyptus botryoides</i> (Bangalay)	Rear
3	<i>Corymbia tessellaris</i> (Moreton Bay Ash)	Rear

Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

- a. Green for trees to be retained.

**8. Project Arborist**

Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.

**9. Waste Management Plan**

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.



**10. Erosion and Sediment Control**

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

**11. Standard Street Tree Protection**

Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.

**12. Works Outside the Property Boundary**

This development consent does not authorise works outside the property boundaries on adjoining lands.

**PRIOR TO ANY DEMOLITION****13. Hoardings**

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

**14. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s

that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

#### **15. Advising Neighbours Prior to Excavation**

At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

#### **16. Construction Fencing**

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

### **PRIOR TO CONSTRUCTION CERTIFICATE**

#### **17. Dilapidation Report – Pre-Development – Minor**

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

#### **18. Stormwater Drainage System – Minor Developments (OSD is not required)**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a. The Stormwater Drainage Concept plan on Drawing No. SW02 prepared by Neilly Davies and dated 31 August 2021, must be amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, together with overflow pipelines from any rainwater tank(s), by gravity to the kerb and gutter of a public road;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm in the case of low and medium residential developments, the twenty (20) year ARI Storm in the case of high-density residential development and commercial and/or industrial developments and the fifty (50) year

- ARI Storm in the case of heavy industry. In all cases, the major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm;
- e. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage;
  - f. The design plans must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
  - g. Junction pits must be provided on the upstream and downstream end of drainage pipes outside the building envelope, where drainage pipes are laid under the floor slab;
  - h. An overland flow path must be provided within the setback to the western side boundary between the rear of the dwelling and the College Street frontage. The rear courtyard must be graded so that bypass flows from the site drainage system are directed to the overland flow path.
  - i. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
  - j. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas;
  - k. The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands;
  - l. No nuisance or concentration of flows to other properties;
  - m. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
  - n. The design plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
  - o. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
  - p. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
  - q. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 mm and a maximum section height and width of 100 mm or sewer grade uPVC pipe with a maximum diameter of 100 mm;
  - r. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
  - s. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
  - t. Stormwater drainage must be located such that any waters leaving the pool must drain to pervious areas prior to potentially draining to the site stormwater drainage system.
  - u. No impact to street tree(s);

**19. Tree Protection Plan**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a detailed site-specific Tree Protection Plan (TPP) prepared by a AQF5 Consultant Arborist. The TPP is to be prepared in accordance with Council’s *Development Fact Sheet—Trees on Development Sites*.

The trees identified below are to be retained and protected throughout the development:

Tree No.	Botanical/Common Name	Location
1	<i>Eucalyptus microcorys</i> (Tallowwood)	Rear
2	<i>Eucalyptus botryoides</i> (Bangalay)	Rear
3	<i>Corymbia tessellaris</i> (Moreton Bay Ash)	Rear
4	<i>Eucalyptus saligna</i> (Sydney Blue Gum)	Rear No 44 College Street
5	<i>Brachychiton rupestris</i> (Narrow Leaved Bottle Tree)	Rear No 44 College Street

The tree protection measures contained in the TPP must be shown clearly on the Construction Certificate drawings, including the Construction Management Plan.

The Certifying Authority must ensure the construction plans and specifications submitted fully satisfy the tree protection requirements identified in the TPP.

A Project Arborist is to be appointed prior to any works commencing to monitor tree protection for the duration of works in accordance with the requirements identified in the TPP.

All tree protection measures as detailed in the approved Tree Protection Plan must be installed and certified in writing as fit for purpose by the Project Arborist.

**20. Structural Certificate for retained elements of the building**

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with a Structural Certificate prepared by a practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction. The certificate must also include all details of the methodology to be employed in construction phases to achieve the above

requirements without result in demolition of elements marked on the approved plans for retention.

**21. Sydney Water – Tap In**

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water’s online ‘Tap In’ program to determine whether the development will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

*Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 13 20 92*

**DURING DEMOLITION AND CONSTRUCTION**

**22. Tree Protection Zone**

To protect the following tree/s, no work must commence until its/their Protection Zone is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area in accordance with the Tree Protection Plan and Council’s *Development Fact Sheet—Trees on Development Sites*. The fence/s (including existing boundary fencing) must be maintained intact until the completion of all demolition/building work on site.

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Eucalyptus microcorys</i> (Tallowwood)	3 metres
2	<i>Eucalyptus botryoides</i> (Bangalay)	3 metres
3	<i>Corymbia tessellaris</i> (Moreton Bay Ash)	3 metres
4	<i>Eucalyptus saligna</i> (Sydney Blue Gum)	Existing fence
5	<i>Brachychiton rupestris</i> (Narrow Leaved Bottle Tree)	Existing fence

**23. Inspections by Project Arborist**

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

Tree No./ Botanical/ Common Name/ Location	Time of Inspection	Key stage/ Hold point
Tree 1 <i>Eucalyptus microcorys</i> (Tallowwood) Rear Tree 2 <i>Eucalyptus botryoides</i> (Bangalay) Rear Tree 3 <i>Corymbia tessellaris</i> (Moreton Bay Ash) Rear Tree 4 <i>Eucalyptus saligna</i> (Sydney Blue Gum) Rear No 44 Tree 5 <i>Brachychiton rupestris</i> (Narrow Leaved Bottle Tree) Rear No 44	Prior to commencement of works	<ul style="list-style-type: none"> <li>Inspection and sign off installation of tree protection measures.</li> </ul>
	During Works	Supervise all works inside or above the TPZ; <ul style="list-style-type: none"> <li>Supervise all excavation, trenching works within the TPZ.</li> </ul>
	<ul style="list-style-type: none"> <li>In accordance with the approved Tree Protection Plan and section 4 of AS4970—<i>Protection of trees on development sites</i>.</li> </ul>	

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

**24. Limited Root Pruning**

No tree roots of 30mm or greater in diameter located within the specified radius of the trunk/s of the following tree/s must be severed or injured in the process of any works during the construction period:

Tree No.	Botanical/Common Name	Radius in metres
1	<i>Eucalyptus microcorys</i> (Tallowwood)	4 metres
2	<i>Eucalyptus botryoides</i> (Bangalay)	4 metres
3	<i>Corymbia tessellaris</i> (Moreton Bay Ash)	4 metres
4	<i>Eucalyptus saligna</i> (Sydney Blue Gum)	4 metres

5	Brachychiton rupestris (Narrow Leaved Bottle Tree)	2 metres
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All excavation within the specified radius of the trunk(s) of the above tree(s) being hand dug to a depth of one (1) metre under direct supervision of the Project Arborist and then by mechanical means as agreed by the Project Arborist. If tree roots less than 30mm diameter are required to be severed for the purposes of constructing the approved works, they must be cut cleanly using a sharp and *fit for purpose tool*. The pruning must be undertaken by a practicing Arborist.

**25. Construction Hours – Class 1 and 10**

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work are only permitted between the hours of 7:00am to 5:00pm, Mondays to Saturdays (inclusive) with no works permitted on, Sundays or Public Holidays.

**26. Survey Prior to Footings**

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.

**PRIOR TO OCCUPATION CERTIFICATE**

**27. No Encroachments**

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.

**28. Protect Sandstone Kerb**

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any stone kerb, damaged as a consequence of the work that is the subject of this development consent, has been replaced.

### **29. Project Arborist Certification**

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from the project arborist the requirements of the conditions of consent related to the landscape plan and the role of the project arborist have been complied with.

### **ON-GOING**

### **30. Tree Establishment**

The tree/s planted as part of this consent is/are to be maintained in a healthy and vigorous condition for 12 months from the issue of an Occupation Certificate. If any of the tree/s is/are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate it/they must be replaced with the same species within one (1) month (up to 3 occurrences).

### **ADVISORY NOTES**

#### **Permits**

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.



**Insurances**

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

**Consent of Adjoining property owners**

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

**Arborists standards**

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—*Pruning of amenity trees* and the Safe Work Australia Code of Practice—*Guide to Managing Risks of Tree Trimming and Removal Work*. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

**Tree Protection Works**

All tree protection for the site must be undertaken in accordance with Council's *Development Fact Sheet—Trees on Development Sites* and AS4970—*Protection of trees on development sites*.

**Tree Pruning or Removal (including root pruning/mapping)**

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with Council's *Development Fact Sheet—Arborist Reports*.

**Prescribed Conditions**

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

**Notification of commencement of works**

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:
  - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
  - ii. the date the work is due to commence and the expected completion date; and
- b. a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

**Storage of Materials on public property**

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

**Toilet Facilities**

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and
- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

**Infrastructure**

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

**Other Approvals may be needed**

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

**Failure to comply with conditions**

Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

**Other works**

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

**Obtaining Relevant Certification**

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent;  
or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

**Disability Discrimination Access to Premises Code**

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

**National Construction Code (Building Code of Australia)**

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by

this consent must be carried out in accordance with the requirements of the National Construction Code.

#### **Notification of commencement of works**

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information:

- a. In the case of work for which a principal contractor is required to be appointed:
  - i. The name and licence number of the principal contractor; and
  - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
  - i. The name of the owner-builder; and
  - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

#### **Dividing Fences Act**

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1991* in respect to the alterations and additions to the boundary fences.

#### **Permits from Council under Other Acts**

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

**Noise**

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

**Amenity Impacts General**

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

**Lead-based Paint**

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

**Dial before you dig**

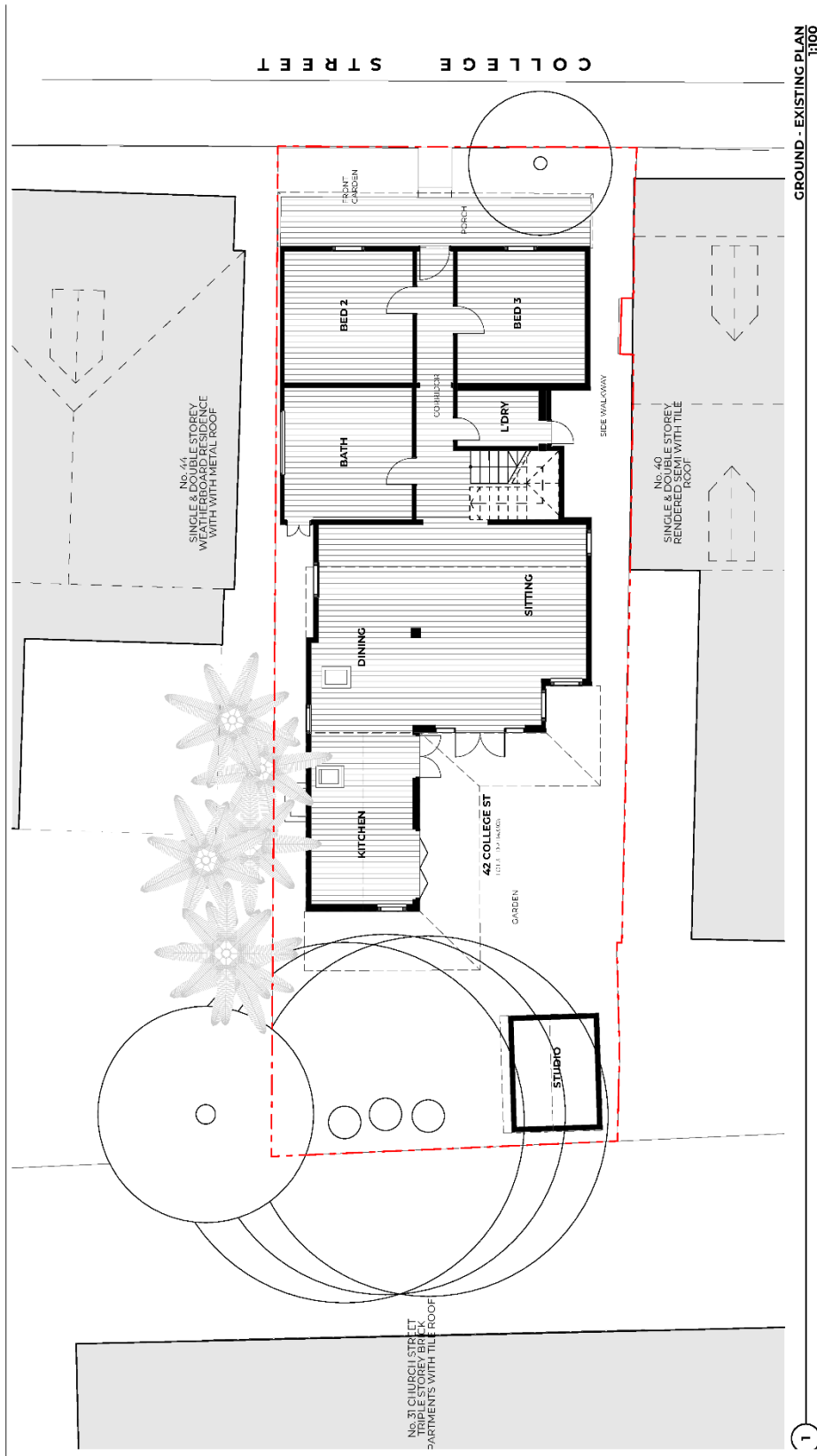
Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.

**Useful Contacts**

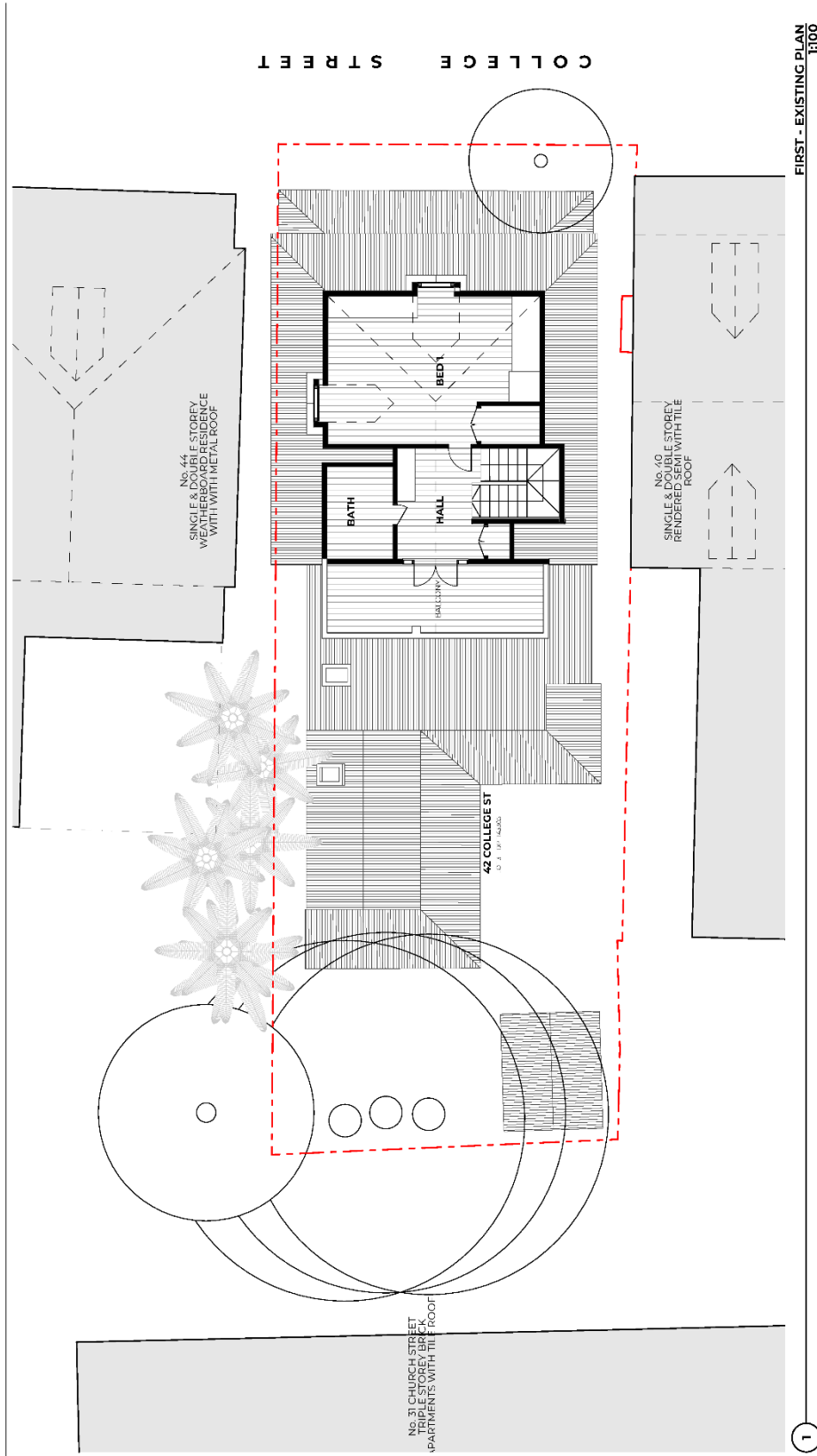
BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100

Landcom	<a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a> 9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Corporation	Payments 131441 <a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>
NSW Food Authority	1300 552 406 <a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a>
NSW Government	<a href="http://www.nsw.gov.au/fibro">www.nsw.gov.au/fibro</a> <a href="http://www.diysafe.nsw.gov.au">www.diysafe.nsw.gov.au</a> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 <a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>
Sydney Water	13 20 92 <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>
Waste Service - Environmental Solutions	SITA 1300 651 116 <a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Water Efficiency Labelling and Standards (WELS)	<a href="http://www.waterrating.gov.au">www.waterrating.gov.au</a>
WorkCover Authority of NSW	13 10 50 <a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a> Enquiries relating to work safety and asbestos removal and disposal.

Attachment B – Plans of proposed development



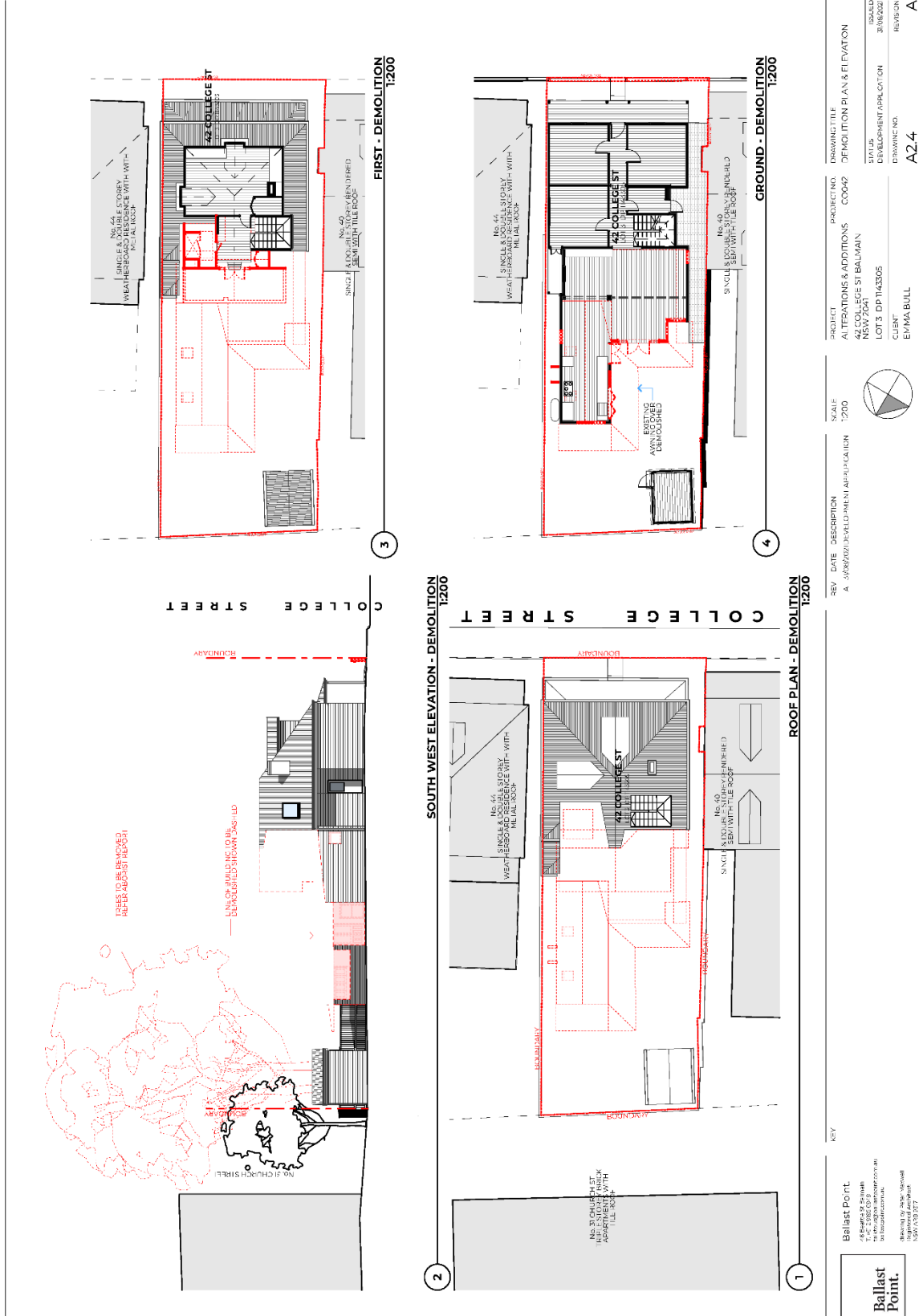
<p>Ballast Point. 17 Berridge Street Sydney NSW 1585 Tel: 02 9550 9999 www.ballastpoint.com.au</p>	<p>REV DATE DESCRIPTION A 30/06/2024 DEVELOPMENT APPLICATION</p>	<p>SCALE 1:100</p>	<p>PROJECT ALTERATIONS &amp; ADDITIONS ALLOTMENT 31 BALLAWAN NSW 2044 LOT 3 DP 1143305</p>	<p>DRAWING TITLE EXISTING PLANS</p>
<p>KEY</p>	<p>PROJECT NO. C0042</p>		<p>CLIENT EMMA BULL</p>	<p>STATUS DEVELOPMENT APPLICATION</p>
<p>Ballast Point. 17 Berridge Street Sydney NSW 1585 Tel: 02 9550 9999 www.ballastpoint.com.au</p>	<p>REV DATE DESCRIPTION A 30/06/2024 DEVELOPMENT APPLICATION</p>	<p>SCALE 1:100</p>	<p>CLIENT EMMA BULL</p>	<p>STATUS DEVELOPMENT APPLICATION</p>
<p>Ballast Point. 17 Berridge Street Sydney NSW 1585 Tel: 02 9550 9999 www.ballastpoint.com.au</p>	<p>REV DATE DESCRIPTION A 30/06/2024 DEVELOPMENT APPLICATION</p>	<p>SCALE 1:100</p>	<p>CLIENT EMMA BULL</p>	<p>STATUS DEVELOPMENT APPLICATION</p>

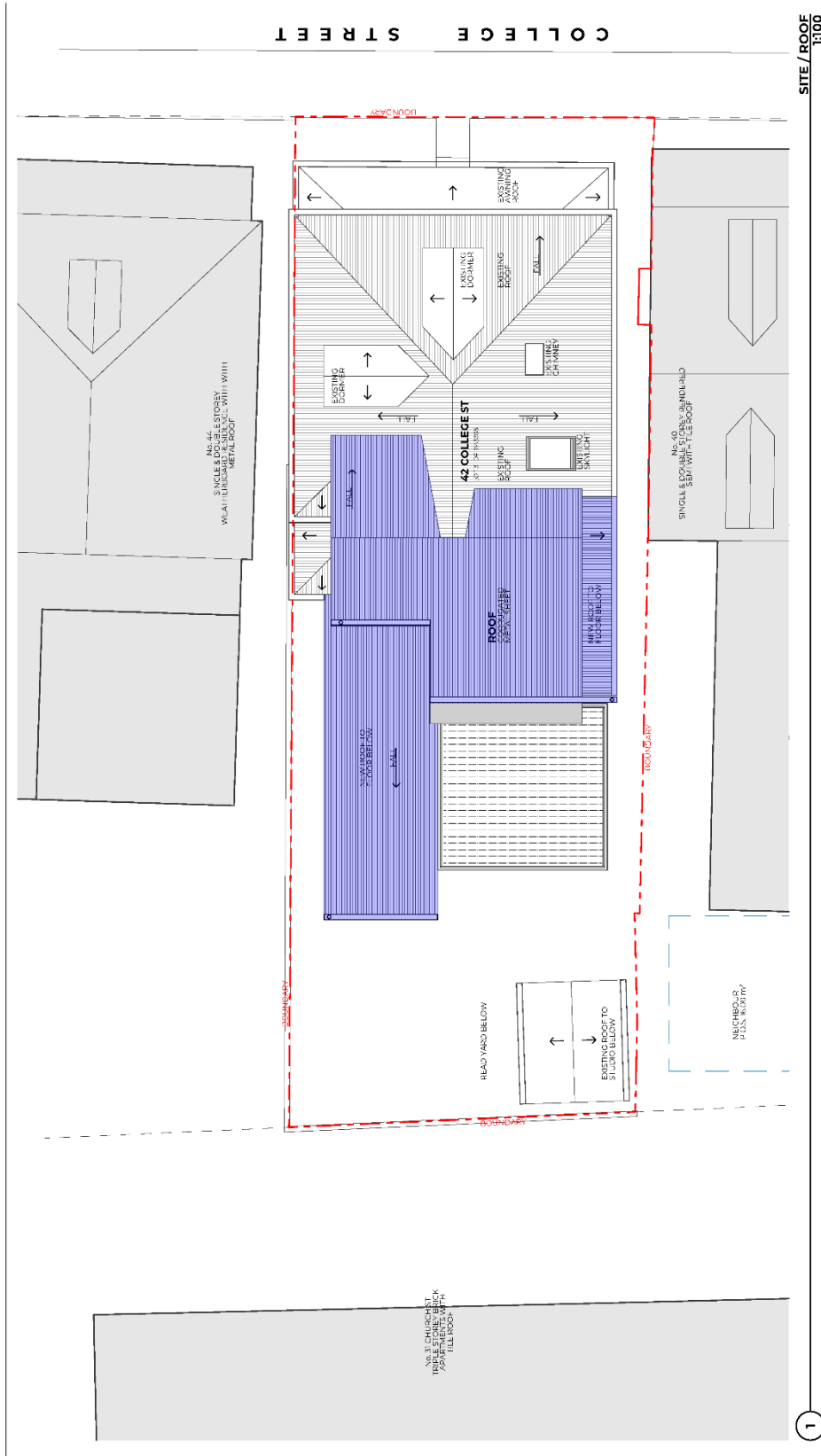


REV	DATE	DESCRIPTION	SCALE	KEY	PROJECT	PROJECT NO.	DRAWING TITLE
A	03/06/2021	DEVELOPMENT APPLICATION	1:100		ALTERATIONS & ADDITIONS 42 COLLEGE ST BALMAIN NSW 2041 LOT 3 DP 1143305	CO042	EXISTING PLANS
					CLIENT	EMMA BULL	DATE
					ESTIMATE NO.	A2.3	3/06/2021
							REVISION
							A

**Ballast Point.**  
 1100 Pacific Street  
 Balmain NSW 2041  
 Tel: (02) 9550 1234  
 Fax: (02) 9550 1235  
 Email: info@ballastpoint.com.au  
 Website: www.ballastpoint.com.au







SITE / ROOF  
1:100

**Ballast Point**  
 17 Ballast Point Way  
 North Sydney NSW 1585  
 Tel: 02 9439 6200  
 Fax: 02 9439 6201  
 Email: info@ballastpoint.com.au

**KEY**

BRICK	MATERIALS COLOUR KEY	TIMBER	REVISION
CONCRETE	METAL	TIMBER CLADDING & FLOORS	A2.5
CARPET	SITE FILL	LIGHTWEIGHT CLADDING	
GLASS	STONE		
	TILLS		

**REV**   **DATE**   **DESCRIPTION**   **SCALE**   **PROJECT NO.**   **PROJECT TITLE**

A   23/06/2021   DEVELOPMENT APPLICATION   1:100   C0042   SITE ROOF PLAN

**CLIENT**   **CLIENT NO.**   **DATE**   **REVISION**

EMMA BULL   A2.5   30/06/2021   A

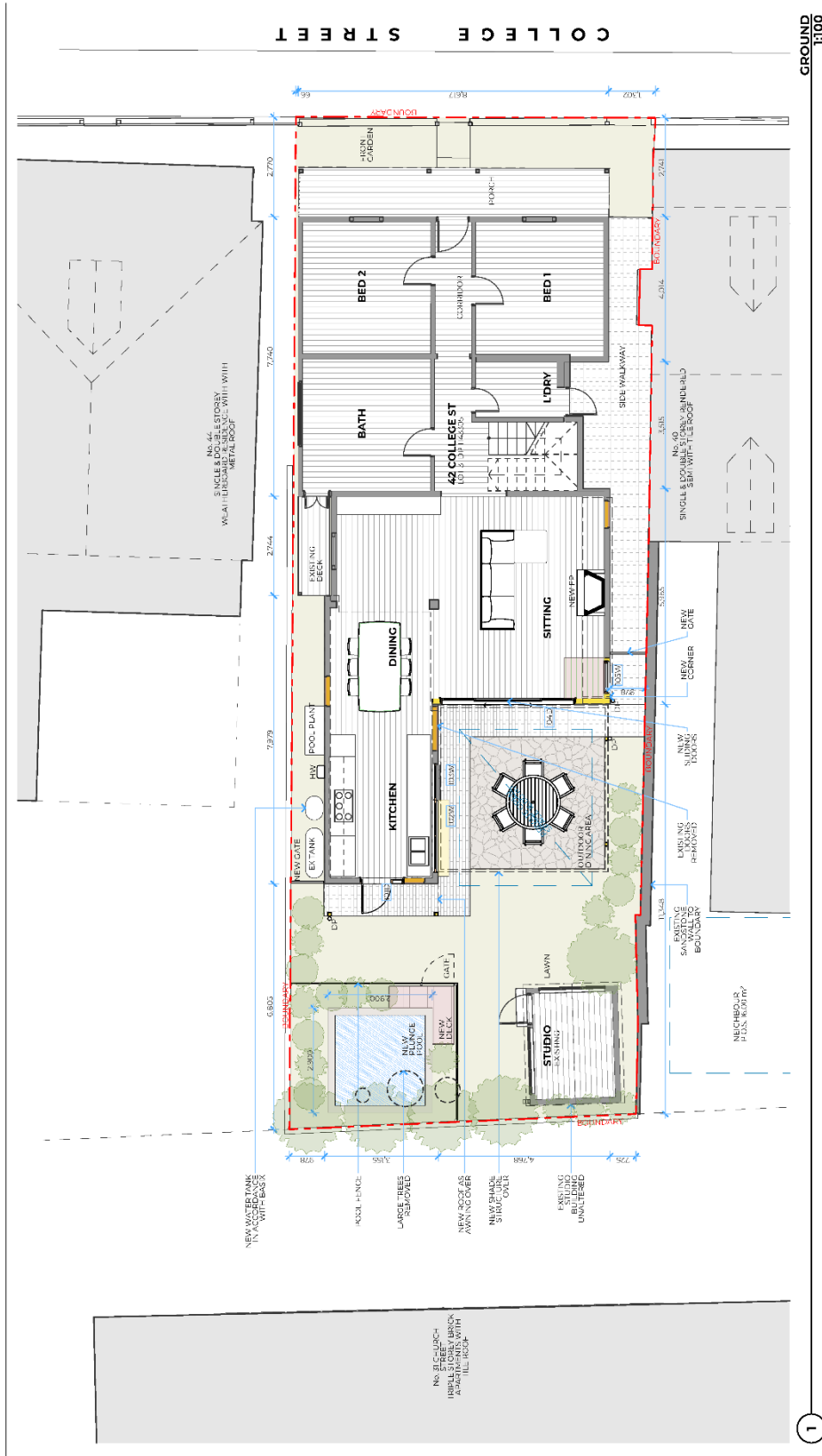
**PROJECT**   **PROJECT NO.**   **PROJECT TITLE**

ALTERATIONS & ADDITIONS TO COLLEGE ST BALMAIN NSW 2041   C0042   SITE ROOF PLAN

**LOT 3 DP 1143305**

**NO. 44**   **NO. 40**

5 VERTICAL CORRUGATED METAL ROOF   SINGLE STOREY BRICK WITH TILEROOF



REV	DATE	DESCRIPTION
A	20/06/2021	DEVELOPMENT APPLICATION

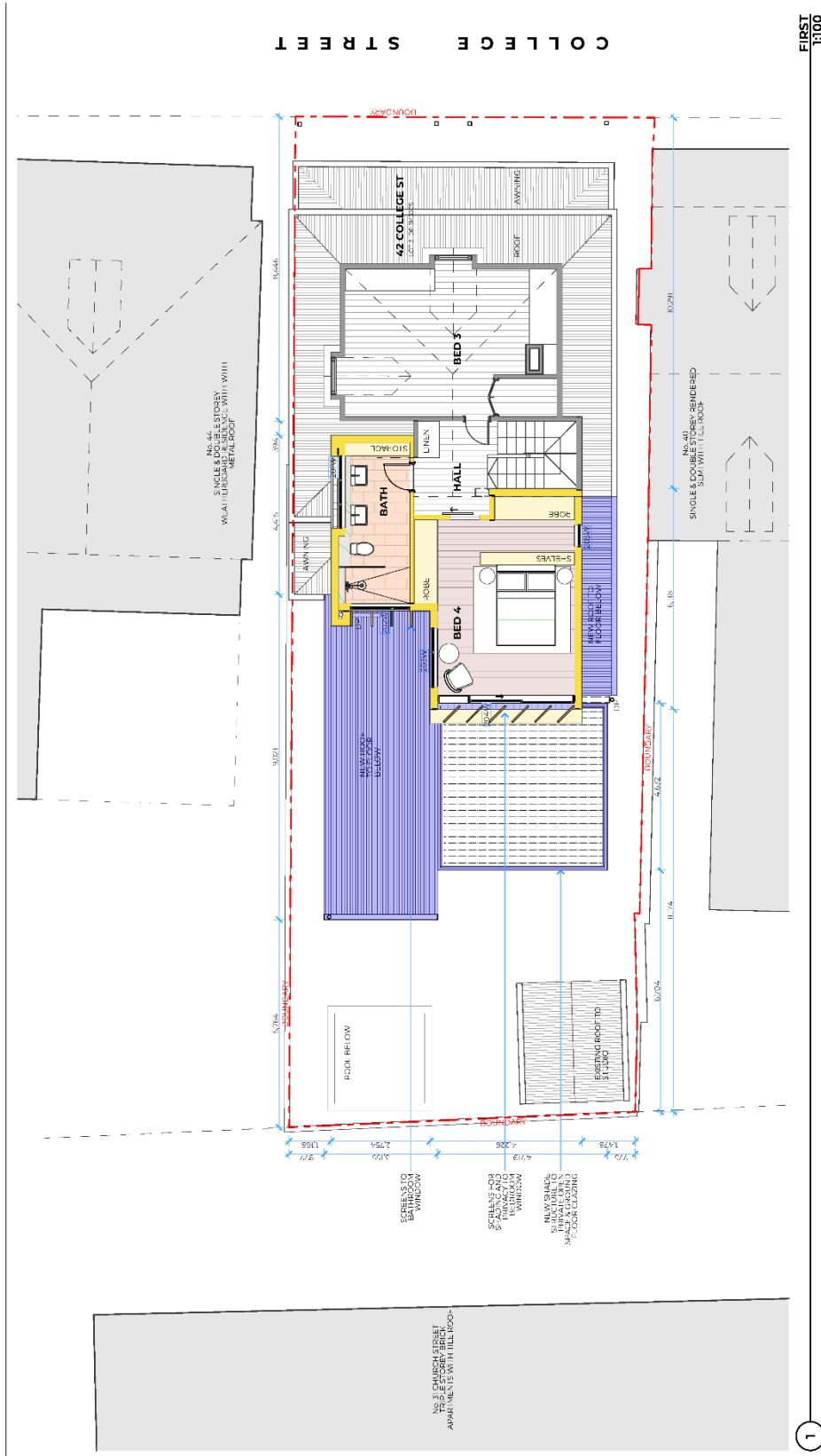
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[Color]	CARPET
[Color]	STONE
[Color]	TILES
[Color]	GLASS
[Color]	TIMBER CLADDING & FLOORS
[Color]	TIMBER CLADDING
[Color]	LIGHTWEIGHT CLADDING

PROJECT	PROJECING NO.	DRAWING TITLE
ALTERATIONS & ADDITIONS TO COLLEGE ST BALMAIN NSW 2041 <td>CO042 <td>GROUND FLOOR &amp; LANDSCAPE PLAN </td></td>	CO042 <td>GROUND FLOOR &amp; LANDSCAPE PLAN </td>	GROUND FLOOR & LANDSCAPE PLAN
CLIENT	DRAWING NO. <td>REVISION</td>	REVISION
EMMA BULL	A2.6	A

Ballast Point  
 42 College St Balmain  
 NSW 2041  
 02 9550 2222  
 www.ballastpoint.com.au



FIRST FLOOR

1

**KEY**

**MATERIALS COLOUR KEY**

- BRICK
- CONCRETE
- CARPET
- GLASS
- METAL
- SITE FILL
- STONE
- TILES
- TIMBER
- TIMBER CLADDING & FLOORS
- LIGHTWEIGHT CLADDING

**REV**   **DATE**   **DESCRIPTION**

A   20/04/2021   DEVELOPMENT APPLICATION

**SCALE**   1:100

**CLIENT**   EMMA BULL

**PROJECT NO.**   C0042

**PROJECT**   ALTERATIONS & ADDITIONS TO COLLEGE ST BALMAIN NSW 2041

**LOT 3 DP 1143305**

**DRAWING NO.**   A2.7

**REVISION**

NO.	DATE	REVISION
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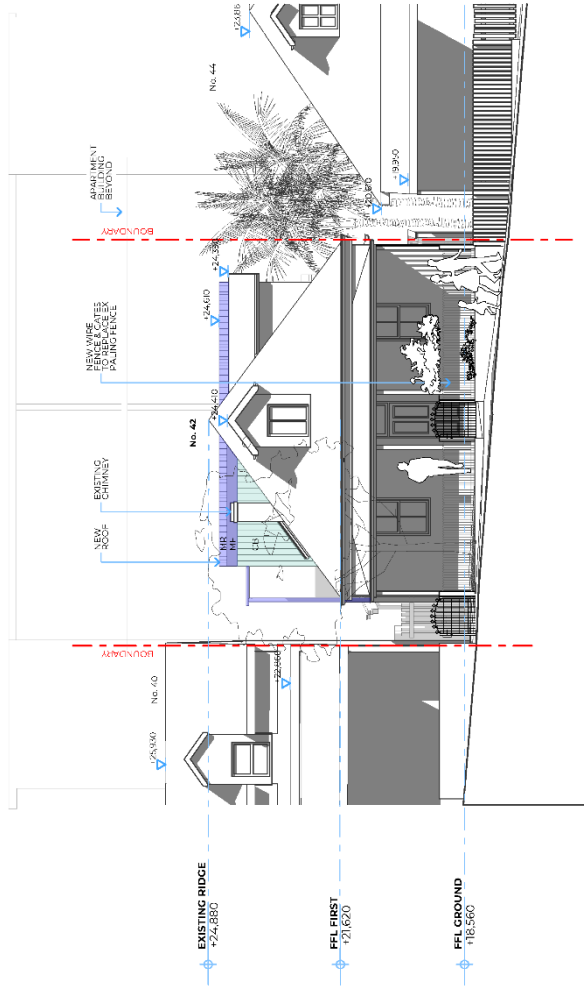
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STREET PERSPECTIVE RENDER

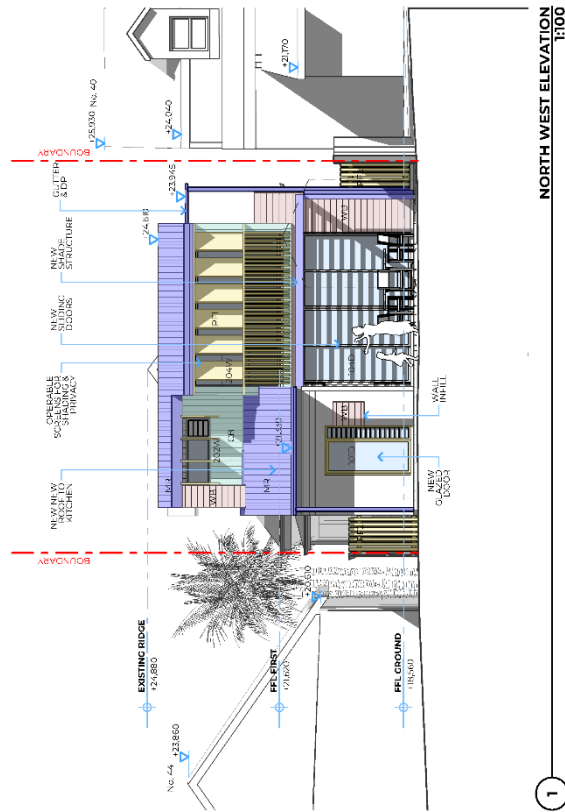


STREET PERSPECTIVE RENDER



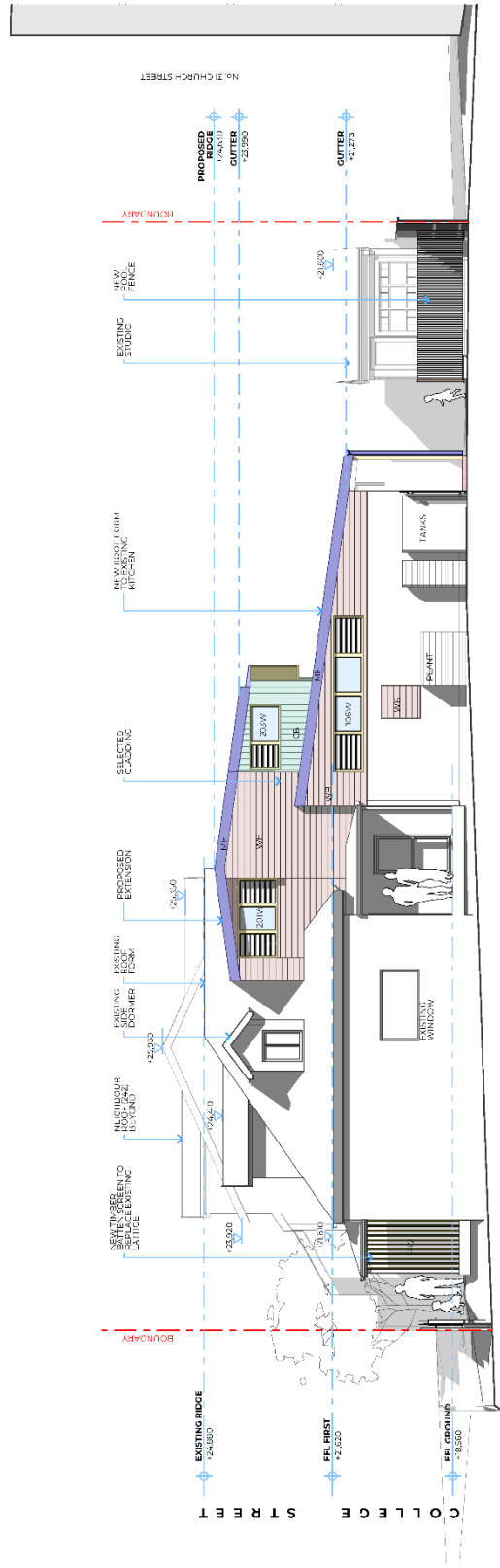
SOUTH EAST ELEVATION  
1:100

<p>Ballast Point 12-14 Belfrage St, Sydney NSW 1585 Tel: 02 9550 2222 www.ballastpoint.com.au</p>	<p>KEY</p> <p><b>MATERIALS COLOUR KEY</b></p> <ul style="list-style-type: none"> <li>BRICK</li> <li>CONCRETE</li> <li>CARPET</li> <li>GLASS</li> <li>METAL</li> <li>SITE FILL</li> <li>STONE</li> <li>TILLS</li> <li>TIMBER</li> <li>TIMBER CLADDING &amp; FLOORS</li> <li>LIGHTWEIGHT CLADDING</li> </ul>	<p>REV. DATE DESCRIPTION</p> <p>A 03/08/2024 DEVELOPMENT APPLICATION</p>	<p>SCALE</p> <p>1:100</p>	<p>PROJECT</p> <p>ALTERATIONS &amp; ADDITIONS 41 COLLEGE ST BALMAIN NSW 2041</p> <p>CLIENT</p> <p>EMMA BULL</p>	<p>PROJECT NO.</p> <p>CO042</p>	<p>DRAWING TITLE</p> <p>ELEVATIONS</p>
	<p>DATE</p> <p>03/08/2024</p>	<p>PROJECT NO.</p> <p>CO042</p>	<p>DATE</p> <p>03/08/2024</p>	<p>PROJECT NO.</p> <p>CO042</p>	<p>DRAWING TITLE</p> <p>ELEVATIONS</p>	



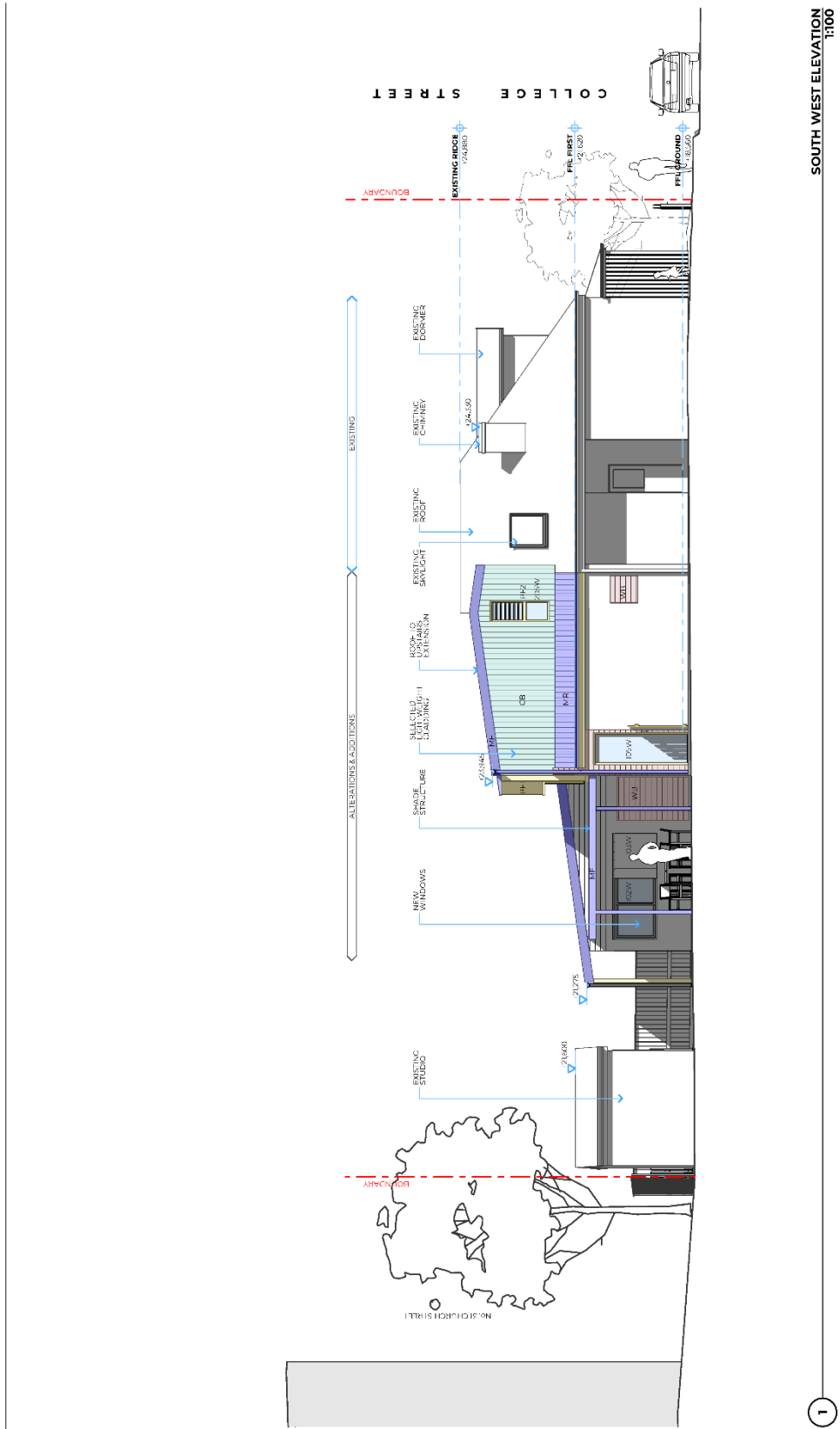
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<p>Ballast Point                  1/100 Kings Road, Sydney                  NSW 1585                  Tel: 02 9550 9999                  Fax: 02 9550 9998                  Email: info@ballastpoint.com.au</p>	<p>KEY</p>	<p>MATERIALS COLOUR KEY</p> <ul style="list-style-type: none"> <li>BRICK</li> <li>CONCRETE</li> <li>CORTEX</li> <li>GLASS</li> <li>METAL</li> <li>SITE FILL</li> <li>STONE</li> <li>TILLS</li> <li>TIMBER</li> <li>TIMBER CLADDING &amp; FLOORS</li> <li>LIGHTWEIGHT CLADDING</li> </ul>	<p>REV. DATE DESCRIPTION</p> <p>A 30/04/2021 DEVELOPMENT APPLICATION</p>	<p>SCALE</p> <p>1:100</p>	<p>PROJECT</p> <p>ALTERATIONS &amp; ADDITIONS                  41 COLLEGE ST BALMAIN                  NSW 2041</p> <p>CLIENT</p> <p>EMMA BULL</p>	<p>PROJECT NO.</p> <p>CO042</p>	<p>DRAWING TITLE</p> <p>ELEVATIONS</p>
	<p>DATE</p> <p>03/08/2021</p>	<p>REVISION</p> <p>A</p>	<p>PROJECT NO.</p> <p>CO042</p>	<p>DRAWING TITLE</p> <p>ELEVATIONS</p>			



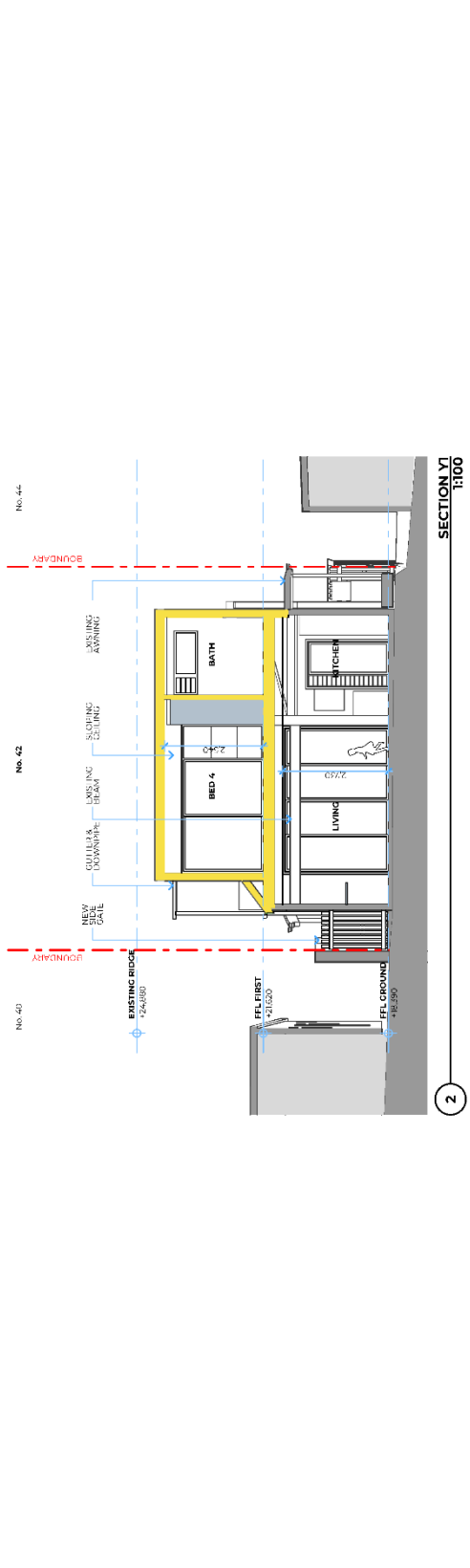
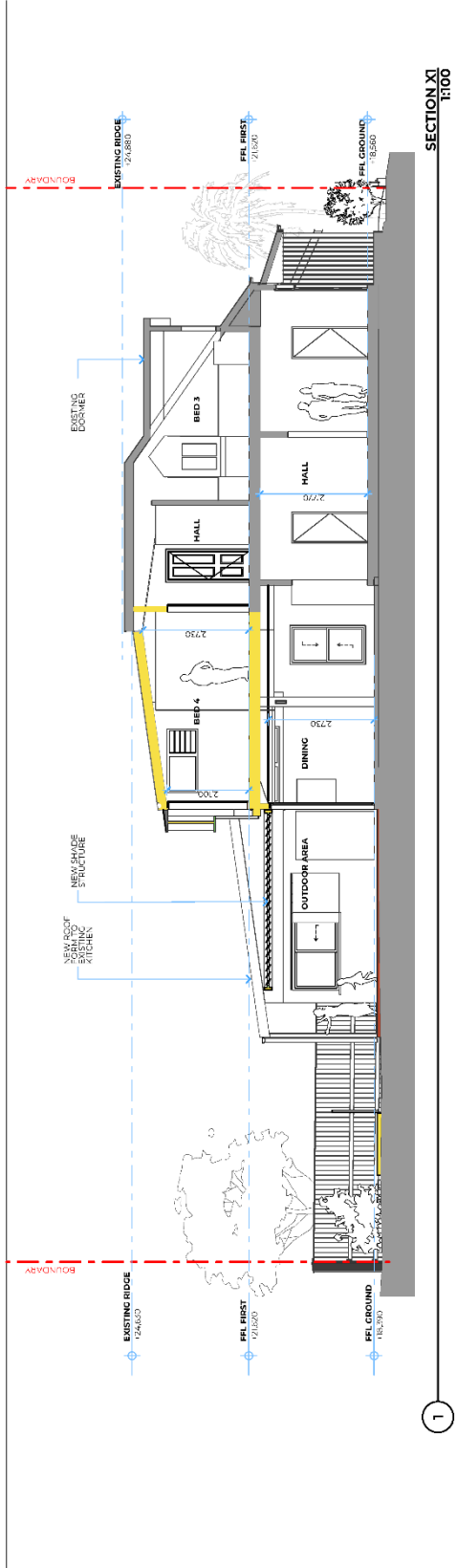
**1** NORTH EAST ELEVATION  
1:100

<p>Ballast Point 120 Pitt Street, Sydney NSW 2000 02 9250 6000 www.ballastpoint.com.au</p>	<p><b>KEY</b></p> <table border="0"> <tr> <td>BRICK</td> <td>METAL</td> </tr> <tr> <td>CONCRETE</td> <td>SITE FILL</td> </tr> <tr> <td>CARPET</td> <td>STONE</td> </tr> <tr> <td>GLASS</td> <td>TILLS</td> </tr> </table>	BRICK	METAL	CONCRETE	SITE FILL	CARPET	STONE	GLASS	TILLS	<p><b>MATERIALS COLOUR KEY</b></p> <table border="0"> <tr> <td>TIMBER</td> <td>TIMBER CLADDING &amp; FLOORS</td> </tr> <tr> <td>LIGHTWEIGHT CLADDING</td> <td></td> </tr> </table>	TIMBER	TIMBER CLADDING & FLOORS	LIGHTWEIGHT CLADDING		<p><b>REV</b>   <b>DATE</b>   <b>DESCRIPTION</b></p> <p>A   30/06/2021   DEVELOPMENT APPLICATION</p>	<p><b>SCALE</b></p> <p>1:100</p>	<p><b>PROJECT</b></p> <p>ALTERATIONS &amp; ADDITIONS 41 COLLEGE ST BALMAIN NSW 2041</p>	<p><b>PROJECT NO.</b></p> <p>CO042</p>	<p><b>DRAWING TITLE</b></p> <p>ELEVATIONS</p>
	BRICK	METAL																	
CONCRETE	SITE FILL																		
CARPET	STONE																		
GLASS	TILLS																		
TIMBER	TIMBER CLADDING & FLOORS																		
LIGHTWEIGHT CLADDING																			
<p><b>CLIENT</b></p> <p>EMMA BULL</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>	<p><b>CLIENT</b></p> <p>EMMA BULL</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>	<p><b>CLIENT</b></p> <p>EMMA BULL</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>												



<p>Ballast Point 120 Pitt Street Sydney NSW 2000 Tel: 02 9250 9000 www.ballastpoint.com.au</p>	KEY	<p><b>MATERIALS COLOUR KEY</b></p> <ul style="list-style-type: none"> <li>BRICK</li> <li>CONCRETE</li> <li>CARPET</li> <li>GLASS</li> <li>METAL</li> <li>SITE FILL</li> <li>STONE</li> <li>HILLS</li> </ul>	<p><b>REVISIONS</b></p> <table border="1"> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>A</td> <td>20/06/2021</td> <td>DEVELOPMENT APPLICATION</td> </tr> </table>	REV	DATE	DESCRIPTION	A	20/06/2021	DEVELOPMENT APPLICATION	<p><b>SCALE</b></p> <p>1:100</p>	<p><b>PROJECT NO.</b></p> <p>CO042</p>	<p><b>PROJECT</b></p> <p>ALTERATIONS &amp; ADDITIONS 41 COLLEGE ST BALMAIN NSW 2041</p>	<p><b>PROJECTING TITLE</b></p> <p>ELEVATIONS</p>
	REV	DATE	DESCRIPTION										
A	20/06/2021	DEVELOPMENT APPLICATION											
<p><b>CLIENT</b></p> <p>EMMA BULL</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>	<p><b>CLIENT</b></p> <p>EMMA BULL</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>	<p><b>CLIENT</b></p> <p>EMMA BULL</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>	<p><b>CLIENT</b></p> <p>EMMA BULL</p>	<p><b>CLIENT</b></p> <p>LOT 3 DP 1143305</p>						












**Ballast Point**  
 17 Belfrage St, Balmain NSW 1522  
 Tel: (02) 9550 2222  
 Fax: (02) 9550 2223  
 Email: info@ballastpoint.com.au  
 Website: www.ballastpoint.com.au

**MATERIALS COLOUR KEY**


BRICK	METAL
CONCRETE	SITE FILL
CARPET	STONE
GLASS	TILLS
TIMBER	
TIMBER CLADDING & FLOORS	
LIGHTWEIGHT CLADDING	

**KEY**

PROJECT	ADDITIONS & MODIFICATIONS
PROJ. NO.	CO042
CLIENT	EMMA BULL
LOT NO.	DP 1143305
DATE	30/08/2024
SCALE	1:100
DESCRIPTION	ADDITIONS & MODIFICATIONS
REV. DATE	A 30/08/2024
PROJECT TITLE	ADDITIONS & MODIFICATIONS TO COLU & LANSING NSW 1522
SECTION	ENVELOPMENT APPLICATION
FORMING NO.	A3.5
REVISION	A

ITEM	DESCRIPTION	IMAGE	FINISH	DIMENSIONS	SUPPLIER	LOCATION & INSTALLATION
WS1	WALL/BOARD CLADDING		PAINTE TO MATCH EXISTING	-	BUILDIT2	REFER TO DRAWINGS FOR LOCATION
CB	VERTICAL CLADDING BOARDS		PAINTE WHITE	-	BUILDER	REFER TO DRAWINGS FOR LOCATION
MR	METAL GALVANISED RIBBED FLAT Z600 ST LVL SHEETING		GALVANISED	-	ROOFING SUPPLIER	REFER TO DRAWINGS FOR LOCATION
MF	METAL FINISH		ZINCALUME	-	ROOFING SUPPLIER	REFER TO DRAWINGS FOR LOCATION
PT	PAINT FINISH 1		DUPLEX NATURAL WHITE	-	BUILDER	REFER TO DRAWINGS FOR LOCATION
PT2	PAINT FINISH 2		PAINTE TO MATCH EXISTING	-	BUILDIT2	REFER TO DRAWINGS FOR LOCATION
BR	UPPER HALF		RECYCLED BRICK	-	RECYCLED BRICK WHOLESALE	REFER TO DRAWINGS FOR LOCATION

 <p>Ballast Point.                  21-23 Macquarie Street                  Sydney NSW 2000                  Tel: 02 9231 2000                  Fax: 02 9231 2001                  www.ballastpoint.com.au</p>	REV. DATE. DESCR. ITCION A. 20/02/2022 DEVELOPMENT APPLICATION	SCALE 1:100	PROJECT ALTERATIONS & ADDITIONS 100/100 ST BALLMANN NSW 1523 LOT 3 DP 11443305 CLIENT EMMA BULL	PROJECT NO. CO042	DRAWING TITLE MATERIALS SCHEDULE
	4/10/23 BY 4177 / JAW/BB V02 20/02/2022	DRAWING NO. 3/18/2023	DRAWING DATE 3/18/2023	DRAWING NO. A91	DRAWING NO. A91



PROPOSED STORM WATER DESIGN FOR ADDITIONS & ALTERATIONS AT 42 COLLEGE STREET, BALMAIN, NSW 2041. FOR BALLAST POINT

GENERAL NOTES

- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING ACT 2016 AND THE BUILDING REGULATIONS 2016.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995 AND THE LOCAL GOVERNMENT REGULATIONS 2016.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING ACT 2009 AND THE ENVIRONMENTAL PLANNING REGULATIONS 2016.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE WATER ACT 2017 AND THE WATER REGULATIONS 2017.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LAND USE MANAGEMENT ACT 2015 AND THE LAND USE MANAGEMENT REGULATIONS 2015.
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE PLANNING ACT 2016 AND THE PLANNING REGULATIONS 2016.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE PUBLIC WORKS ACT 1950 AND THE PUBLIC WORKS REGULATIONS 1950.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE ROAD ACT 2017 AND THE ROAD REGULATIONS 2017.
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE TRANSPORT ACT 2017 AND THE TRANSPORT REGULATIONS 2017.
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE UTILITIES ACT 2012 AND THE UTILITIES REGULATIONS 2012.
11. ALL WORK SHALL BE IN ACCORDANCE WITH THE ELECTRICITY ACT 2011 AND THE ELECTRICITY REGULATIONS 2011.
12. ALL WORK SHALL BE IN ACCORDANCE WITH THE GAS ACT 2017 AND THE GAS REGULATIONS 2017.
13. ALL WORK SHALL BE IN ACCORDANCE WITH THE OIL POLLUTION ACT 2010 AND THE OIL POLLUTION REGULATIONS 2010.
14. ALL WORK SHALL BE IN ACCORDANCE WITH THE WASTE ACT 2011 AND THE WASTE REGULATIONS 2011.
15. ALL WORK SHALL BE IN ACCORDANCE WITH THE WATER POLLUTION ACT 2011 AND THE WATER POLLUTION REGULATIONS 2011.
16. ALL WORK SHALL BE IN ACCORDANCE WITH THE AIR POLLUTION ACT 2011 AND THE AIR POLLUTION REGULATIONS 2011.
17. ALL WORK SHALL BE IN ACCORDANCE WITH THE SOIL POLLUTION ACT 2011 AND THE SOIL POLLUTION REGULATIONS 2011.
18. ALL WORK SHALL BE IN ACCORDANCE WITH THE NOISE ACT 2011 AND THE NOISE REGULATIONS 2011.
19. ALL WORK SHALL BE IN ACCORDANCE WITH THE VISUAL AMPLIFICATION ACT 2011 AND THE VISUAL AMPLIFICATION REGULATIONS 2011.
20. ALL WORK SHALL BE IN ACCORDANCE WITH THE HERITAGE ACT 2017 AND THE HERITAGE REGULATIONS 2017.

STORM WATER NOTES

- 1. THE STORM WATER DESIGN SHALL BE IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AND CODES OF PRACTICE.
2. THE STORM WATER DESIGN SHALL BE IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995 AND THE LOCAL GOVERNMENT REGULATIONS 2016.
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RAINWATER TANK NOTES

- 1. THE RAINWATER TANK DESIGN SHALL BE IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AND CODES OF PRACTICE.
2. THE RAINWATER TANK DESIGN SHALL BE IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995 AND THE LOCAL GOVERNMENT REGULATIONS 2016.
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PUMP OUT NOTES

- 1. THE PUMP OUT DESIGN SHALL BE IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AND CODES OF PRACTICE.
2. THE PUMP OUT DESIGN SHALL BE IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995 AND THE LOCAL GOVERNMENT REGULATIONS 2016.
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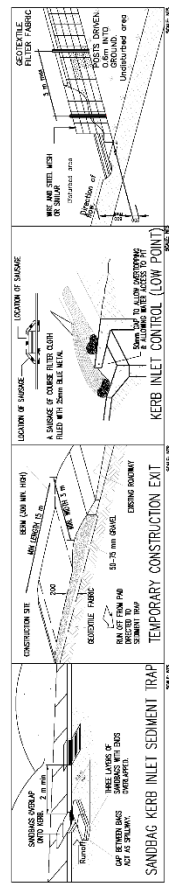
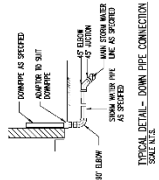
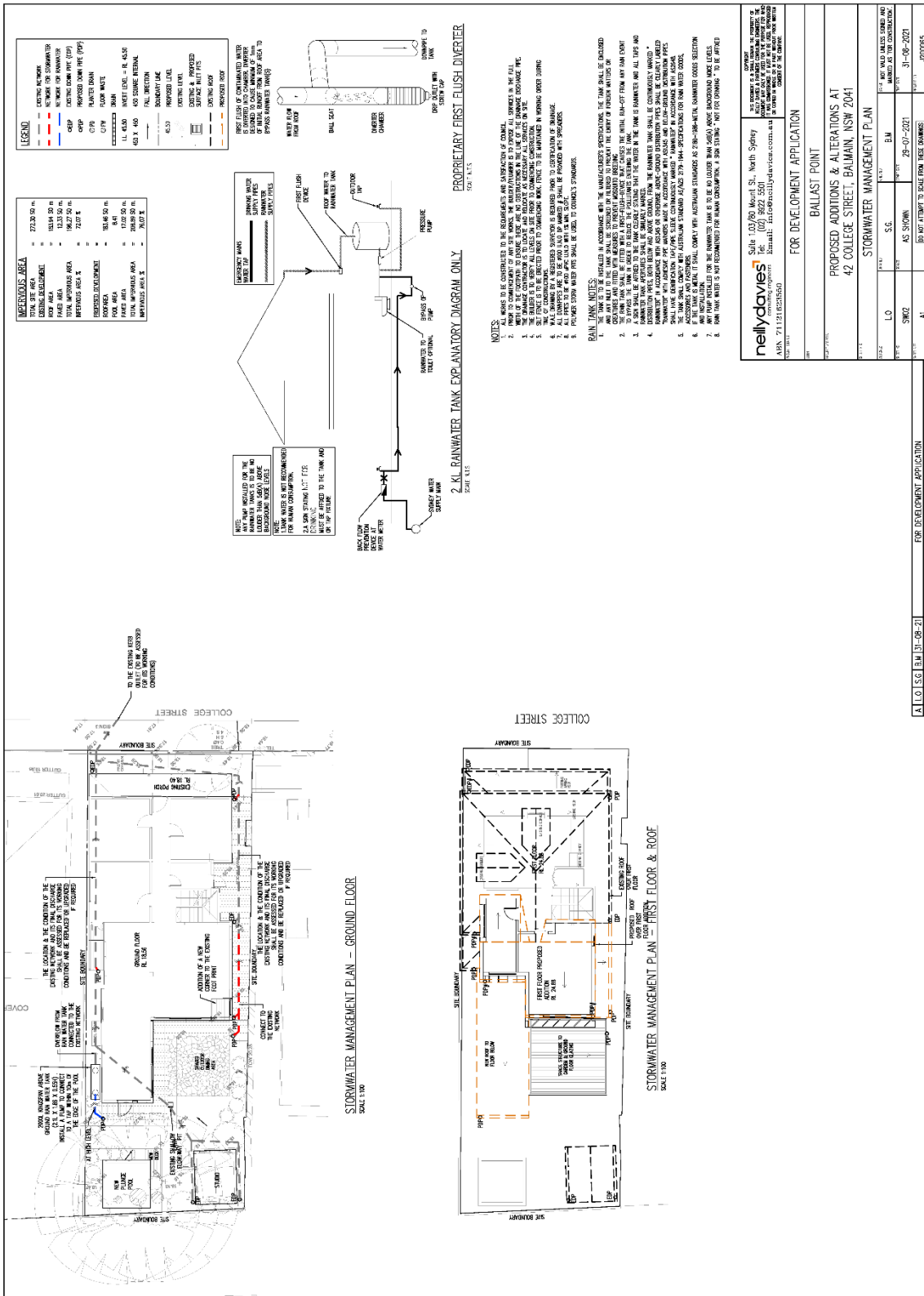


Table with project details including client name (nellydavies), project name (PROPOSED ADDITIONS & ALTERATIONS AT 42 COLLEGE STREET, BALMAIN, NSW 2041), and dates (29-07-2021).



FOR DEVELOPMENT APPLICATION

**Ballast Point**

PROPOSED ADDITIONS & ALTERATIONS AT  
42 COLLEGE STREET, BALMAIN, NSW 2041

**STORMWATER MANAGEMENT PLAN**

DATE	25-02-2021	BY	EM
REVISED DATE	31-06-2021	BY	EM

FOR DEVELOPMENT APPLICATION

**nellydavies**  
 15/11/21 (1511212121)  
 Suite 1, 82/80 North St, North Sydney  
 NSW 1585  
 Tel: (02) 9552 5501  
 Fax: (02) 9552 5502  
 Email: info@nellydavies.com.au

FOR DEVELOPMENT APPLICATION

DATE: 25-02-2021  
 BY: EM  
 REVISED DATE: 31-06-2021  
 BY: EM

FOR DEVELOPMENT APPLICATION



## Attachment C – Statement of Heritage Significance



# HERITAGE IMPACT STATEMENT

Alterations and Additions



42 College Street, Balmain

Prepared for Emma Bull

August 2021

**M:** 0491 341 906

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**W:** [www.touringthepast.com.au](http://www.touringthepast.com.au)

**A:** PO BOX 966 Artarmon, NSW, 2064

**ABN** 55 402 896 237



**Acknowledgement of Country**

We proudly acknowledge the Traditional Owners whose ancestral Country we live and work upon and we pay our respects to their ongoing connection to land, sea, and culture.

**Touring the Past**

History—Heritage—Interpretation

**Author:** Patrick Wilson  
 B.A. (Hist Hons) and M. Cult. Heritage  
 M. ICOMOS, Pro Hist PHA (NSW + VIC), SAHANZ, IAIA, APT, Interps Aus, Nat Trust (NSW)

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**ABN** 55 402 896 237

Cover image: Subject site from College Street.

Primary and secondary materials utilised in the preparation of this report are acknowledged and referenced in captions or footnotes.

The copyright of this report remains with the author, Touring the Past.

DATE	VERSION	PREPARED BY
16 August 2021	Draft issued	Patrick Wilson
23 August 2021	Issued	Patrick Wilson



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## 1.0 INTRODUCTION

### 1.1 Purpose

This Heritage Impact Statement (HIS) has been prepared on behalf of the property owner of 42 College Street, Balmain (subject site)—a circa 1885 cottage situated in the Town of Waterview Heritage Conservation Area and in the vicinity of the *Royal Oak Hotel*, an individual heritage item. It accompanies a development application (DA) for rear alterations and additions at the site. This report provides the consent authority, the Inner West Council, with an expert assessment of the contribution of the site to the precinct and comments on the acceptability of the new work from a heritage planning perspective.

### 1.2 Methodology

The author of this report is an experienced heritage consultant and accredited professional historian, and the assessment is made pursuant to the Expert Witness Code of Conduct in Schedule 7 of the *Uniform Civil Procedure Rules 2005* (NSW).

Terminology and principles in this document are informed by sound conservation-planning approaches for the management of built cultural heritage, namely as expressed by *The Australia ICOMOS Charter for Places of Cultural Significance*, *The Burra Charter* (rev. 2013), the *NSW Heritage Manual* (various revisions), and *Better Placed: Design Guide for Heritage* (2019).

A visual site and context investigation informs this assessment (July 2021).

### 1.3 Location

The subject site (Lot 3, DP 1143305) is located on the north side of College Street, near its intersection with Curtis Road (west). It is bounded to the east and west by single-family residences and in the north by a mid-rise block of flats. The wider context is the densely urban environs of the inner-western suburb of Balmain.



Aerial photograph of the subject site, outlined approximately in dashed red.  
(Source: Metromap, dated April 2021)

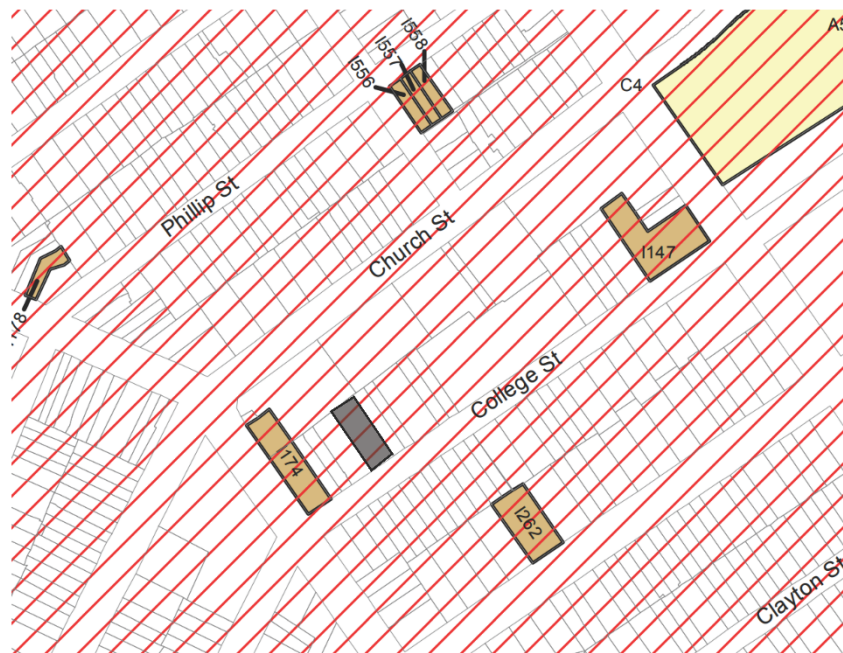


1.4 Heritage management framework

The subject site is not identified as an individual item of environmental heritage; however, it is included within the large-scale Town of Waterview Heritage Conservation Area (C4), a precinct of 'local' significance under Schedule 5 of the *Leichhardt Local Environmental Plan 2013* (LLEP).

It is also situated in the general vicinity of the following individual heritage asset:

Item name	Address	Property Description	Significance	Item no.
Royal Oak Hotel, including interiors	36 College Street, Balmain	Lot 1, DP 724879; Lot B, DP 345827	Local	1174



Extract from Heritage Map HER\_006 with red hatching indicating the extent of the Town of Waterview HCA. Individual heritage items are shaded in tan. The subject site has been shaded black. (Source: LLEP)

*Identified cultural heritage significance*

The council-endorsed Statement of Significance for the Town of Waterview HCA, available in its citation (online), follows:

One of a number of conservation areas which collectively illustrate the nature of Sydney's early suburbs and Leichhardt's suburban growth particularly between 1781 and 1891, with pockets of infill up to the end of the 1930s (ie prior to World War II). This area, through the form and fabric of its houses, corner shops and pubs, its street layout and allotment shapes, demonstrates a remarkably intact area of early workers' housing from 1850s to 1890s with later infill development prior to World War II (ie pre-1939). It is significant for its surviving development prior to World War II.

Demonstrates through the density of pubs (and former pubs) within the township area its close association with the growth of the urban labour movement. A number of these pubs are of national heritage significance for their historical and enduring social values as part of the history of unionism and of the Ships Painters and Dockers Union in particular.



Demonstrates, through the nature of its housing, the important role played by Morts Dock as a magnet for workers and the location of their housing.

Demonstrates, through its rendered and painted brickwork, the nature of construction in Sydney before the ready availability of hard pressed, face bricks.

Demonstrates the work of Surveyor Reuss.

Associated with prominent local entrepreneurs and land developers, some of whom were alderman of Council.

Demonstrates, with Bodalla Village on the New South Wales south coast, the role of Thomas Mort in providing 'appropriate' housing for his employees.

The citation also lists several 'Significant Characteristics' for the Town of Waterview HCA:

- Regular street pattern made up of wider streets (about 50ft wide) marking the boundaries of the township (Rowtree, Mort, Curtis and Cameron Streets) or giving access to the dock (Church Street) with narrower streets filling the remainder.
- Lack of back lanes.
- A very regular streetscape resulting from:
  - regular width allotment of 33ft (or half 33ft) giving rise to uniform densely developed streets of single or double-fronted houses/terraces;
  - use of limited range of building materials – either rendered brick or painted weatherboard;
  - face brick house of post c1890 and the fifty-odd stone buildings are noticeable for their different building materials; and
  - remarkably intact collection of single and two-storey attached and detached dwellings, many of them weatherboard.
  - Density of pubs.
  - Corner stores and small groups of stores and pubes at some cross roads.

The contribution of the subject site to the HCA is discussed in section 4 of this report.

Statements of Significance for the nearby heritage item, available from the NSW State Heritage Inventory, also follow:

No. 36 College is of local historic, aesthetic and social significance as a good representative example of former corner Hotel building that appears to have been initially constructed in 1878. Despite additions and alterations the building retains a sense of its original scale and fabric and evidence of its ongoing use indicated by its distinctive decorative rendered parapet, splayed corner, pattern of openings and wide awning. The building occupies a prominent corner site and is a key townscape element that makes a positive contribution to the Curtis Street streetscape.

**Updated:** 19 December 2011

As per the LLEP (at Clause 5.10), the principal objective in the heritage management of the Town of Waterview and nearby heritage item is the conservation of their identified cultural heritage significance. Accordingly, the above Statements of Significance provide an essential baseline for assessing the likely heritage impact of the proposed activities, an approach in line with Article 27 ('Managing Change') of the *Burra Charter*.



## 2.0 HISTORICAL SUMMARY

### 2.1 Contextual

The land around Grose Bay (later Waterview, then Mort Bay) was granted to Captain David Collins, the Deputy Judge-Advocate of the Colony, in 1794. He made no attempt to take up this 40-hectare property, which was later incorporated into William Balmain's extensive, near-peninsula encompassing grant of 1800.<sup>1</sup>

In 1854, Captain Thomas Stephenson Rowntree, a shipbuilder, purchased sheltered land with a deep waterfront around the neck of Waterview Bay, establishing the 'Waterview Dry Dock Company' the following year. Thomas Sutcliffe Mort and J.S. Mitchell quickly joined the enterprise. Dry dock facilities had recently become an essential component of marine infrastructure following the introduction of steam-driven vessels, but Rowntree's enterprise faltered due to unforeseen government competition. In 1863, it was renamed 'Mort's Dry Dock' and run directly by Mort with the expert management of various marine engineers. The docks expanded their operations progressively over the late 19<sup>th</sup> century, emerging as the New South Wales' largest private firm, second in employee numbers only to the railway department.<sup>2</sup>

To supply a permanent pool of skilled and non-skilled workers, Mort also took on the mantle of town planner and developer, establishing the first residential enclave on the Balmain Peninsula. In 1857, he engaged the surveyor Ferdinand Hamilton Reuss to peg out a private subdivision embracing 700 allotments and roads in the vicinity of the docks, including Short Street. Mort's 'Town of Waterview' development was gradual, with an intensive growth spurt not occurring until the 1880s, in line with Sydney's wider building boom. Dwellings ranged widely (brick, timber, stone) but were typically small in scale, typically providing accommodation for the 'manufacturing artisan class'.<sup>3</sup> Traditional corner shops and a score of pubs also emerged to cater for the concentrated population.<sup>4</sup>

The docks were closed in 1958. Factors included labour unrest and a shaky postwar recovery. Liquidators sold the site the following year, and, under various owners with an array of ambitions (most of which fell through), the site was progressively redeveloped. Against local wishes, the Maritime Service Board constructed the Mort Bay container wharf over the late 1960s. Following eventual recognition of the limitation of the former dry docks for such use, the site was transformed into public/private housing and parkland from 1985.<sup>5</sup>



View to dense, urban landscape of the Town of Waterview beyond Morts Dock, facing west, in the 1930s. (Source: *Tug boats at Morts Dock, Balmain*, NLA, digitised item)

- <sup>1</sup> Max Solling and Peter Reynolds, *Leichhardt: on the Margins of the City*, Allen & Unwin, 1997, chapter 3
- <sup>2</sup> Peter Reynolds, 'Mort Bay', *Dictionary of Sydney*, 2008, available online
- <sup>3</sup> 'Waterview Bay', *Illustrated Australian News for Home Readers*, 28 March 1872, p76
- <sup>4</sup> Solling and Reynolds, *Leichhardt: on the Margins of the City*, p69
- <sup>5</sup> Reynolds, 'Mort Bay'



Subdivision of the 'Town of Waterview: the site of Mort's Dry Dock', in 1857. North is right of frame. The subject allotment is indicated by the red arrow.  
 (Source: Reuss & Brown, SLNSW, digitised item)



2.2 Site-specific

The subject allotment derives from the 1857 Town of Waterview subdivision. The existing weatherboard cottage was first recorded as occupied by the *Sands Sydney, Suburban and Country Directory* in 1886, occupied by Robert Griffiths, a 'shipwright'. As listings in the *Directory* typically lagged a year or so behind construction or a change in residency, it is likely that the building was constructed in circa 1885. Griffiths remained in residence until at least the early 1930s.<sup>6</sup> Mrs Griffiths (d. 1915) was closely involved with the local parish at St Augustine's Catholic Church, particularly its charitable activities.<sup>7</sup>



Extract from the *Metropolitan detail* series depicting College Street in 1889. The subject site is shaded red with the original footprint of the subject building shown. (Source: Balmain, Sheet 13, SLNSW)



1943 aerial photograph of the subject site, approximately outlined in dashed red. Note the addition of an L-shaped rear wing—since replaced. (Source: Metromap)

<sup>6</sup> Review of *Sands Sydney, Suburban and Country Commercial Directory*, various editions (1880-1932/33)  
<sup>7</sup> 'Mrs. R. Griffiths, Balmain', *Catholic Press*, 29 April 1915, p29



### 3.0 PHYSICAL DESCRIPTION

#### 3.1 Subject Site

The double-fronted, attic-storey subject cottage is situated at a small setback from the street, occupying most of its rectangular allotment, which slopes gently away from Curtis Road. The original square footprint of the dwelling has a hipped roof clad in unpainted corrugated metal sheet, which has been extended to the rear and formed into a gable. Non-original gabled dormer window (casement windows and weatherboard 'cheeks') has been installed on the front and east roof planes. To the latter, a 'shed' dormer window is apparent. There is an overpainted brick chimney in the roof, below the ridge line, with a corbelled cap.



Aerial photograph of the subject site (outlined in dashed yellow) with the original footprint of the cottage shaded red. (Source: Metromap, December 2020)

Defining the façade is a hipped verandah supported by stop-chamfered square timber posts with a raised deck (boards). The cottage is timber-framed and clad in the front by rusticated painted boards (referencing fine stonework). Weatherboards are evident to original sidewalls. The rear wing is also clad in standard weatherboards. Fenestration is symmetrical in the façade with a central low-waisted, multi-panelled door with a transom window flanked by timber-framed, double-hung sashes (obscured by flyscreens).

The cottage's interior retains its double-fronted layout with a central hallway; however, rooms back from the front pair have been heavily modified.

The front fence is comprised of an original sandstone plinth (overpainted) with later addition timber pickets. A large purple glory tree (*Tibouchina urvilleana*) is situated behind the fence. The west side boundary fence is constructed of sandstone in random rubble and may be an original or early feature.



Subject site from College Street, facing north.



Subject site from College Street, facing northeast.





Façade close-up.



View from the recessed rear balcony. Note later addition Federation faux gabled outbuilding in northwest corner of the yard.



View to rear of the subejct building.



View to west side boundary wall with random rubble sandstone boundary wall.



**3.2 Streetscape**

College Street slopes gradually from Darling Street (south) to Mort Bay Park and is chiefly residential. The section of streetscape relevant to the subject site—between Curtis Road (west) and Cameron Street (east)—has a mixed morphology, characterised by an array of late 19<sup>th</sup> and early 20<sup>th</sup>-century timber cottages and brick rowhouses or semi-detached dwellings. There is also a small green reserve (College Street Playground) and two corner pubs, namely the late Victorian period *Royal Oak Hotel* (no. 36) and the *Dry Dock Hotel* (22 Cameron Street, 1147), remodelled in the interwar period, which bookend the block. A postwar industrial building with a sawtooth roof is apparent at 81A Cameron Street.

The overall character is fine grain and urban with low scale (one to two stories), traditional forms prevailing. Surfaces are patined and textured.

Sandstone kerbing and concrete gutters are noted. Street trees are non-existent, although thriving front gardens provide a level of verdure throughout the streetscape.

Adjacent to the east of the subject site is a hipped roof and verandahed cottage with a façade clad in rusticated boards (no. 44). The similarity in design is suggestive of the hand and eye of the same contract builder. In the west, the site is bordered by a sandstone 'semi' with a modified roof (nos. 38-40). Immediately contiguous with the site is a double-height, rendered party walls. Its higher position in the street magnifies its scale. Both flanking properties display prominent non-original dormer windows.

The façade and east elevation of the subject building are readily visible from College Street. There is also a more distant oblique sightline of its frontage attainable from Curtis Road.



North side of College Street, facing northeast from the subject site.



View to 38 and 40 College Street with the *Royal Oak Hotel* left of frame, west of the subject site.



Subject building (red arrow) with 44 College street on the right.



#### 4.0 DISCUSSION OF SIGNIFICANCE

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The subject building is a typical example of an economical mid-1880s timber cottage, expressing through its symmetry, hipped roof, and restrained aesthetic the continuation of the colonial Georgian design mode in the late Victorian period. The cottage form and timber/corrugated material palette are highly representative of the working-class dwellings that constituted Balmain's late 19<sup>th</sup>-century development pattern.

However, the visible presence of the dormer windows has diminished the integrity of the original hipped roof and, together with the rear alterations/additions, reduced the intactness of the subject building.

Notwithstanding, the subject site is assessed as a 'Contributory' asset to the Town of Waterview HCA. This status is conferred by its original elements and components that are visible from the public realm—that is, the cottage's roof form, facade, and sidewalls. As well as the 'hemmed in' relationship between the cottage and nearby buildings, an important aspect of the streetscape. The sandstone plinth, while overpainted, complements its settings.



## 5.0 THE PROPOSAL

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The proposal is outlined in a set of development application drawings prepared by Ballast Point, dated 18 August 2021. These plans should be referred to for a complete understanding of the new work.

In summary, those components of the new activity pertinent to an assessment of heritage impact are:

- the partial removal of the later addition rear gabled addition and the 'shed' dormer in the east elevation,
- the construction of a low-pitched gabled attic-storey extension to the rear of the retained hipped roof to facilitate an enlargement of the upstairs bathroom and a new rear bedroom, and
- new side windows.

The rear addition would be clad in either weatherboard (painted to match existing) or vertical laid timber boards (painted white) with unpainted galvanised heritage Z600 corrugated metal sheeting utilised for the roof.

Fixed or louvred windows to the sidewalls of the proposed vertical addition would be timber-framed.

Some aspects of the new work would not impact any original fabric and be concealed from the public realm. In light of their neutral impact and the heritage status of the subject site—a contributory property in a HCA—the following aspects of the proposal are not assessed further in section 6:

- replacement of roofs to non-original wings with skillions,
- new doors to the rear ground floor and west elevation,
- insertion of shade/privacy screens to the expanded Bed 4 and attic-storey bathroom,
- new windows (glazing and louvred) to the east elevation of the revised rear wing,
- formation of a paved outdoor dining area with shade structure above,
- installation of a new fireplace in the contemporary sitting room,
- provision of a new water tank to the rear part of the east elevation,
- construction of a plunge pool and small deck in the northeast corner of the rear garden, and
- general rear garden landscaping.



## 6.0 ASSESSMENT OF HERITAGE IMPACT

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### 6.1 Heritage Policy

The following section examines the projected impact of the proposal on the identified heritage significance of the Town of Waterview HCA, namely the immediate streetscape of College Street, and the nearby heritage item; the *Royal Oak Hotel*. While this section adopts a merit-based assessment model, the pertinent heritage objectives of the LLEP and heritage controls of the *Leichhardt Development Control Plan 2013* (LDPC) are recognised as providing key parameters for evaluation. The specific 'recommended management' policies for the HCA—provided by its citation—are also noted.

As the new work would alter the exterior of a building situated within a HCA, the LLEP at cl. 5.10(2) (a)(iii) requires that the consent authority, the Inner West Council, consider the potential impact of the proposal on the significance of the place, particularly its 'associated fabric, settings and views'. The positive contribution made by the subject site to the Town of Waterview HCA has been discussed in section 4 of this document.

This HIS, prepared by a heritage professional, constitutes the required documentation to allow the council to understand the new work's likely heritage impact.

### 6.2 Review of Heritage Impact

Fabric earmarked for removal at the subject site is near wholly later addition or, if original/early, concealed and non-contributory. No elements that support the contributory assessment of the subject building would be removed or affected by the proposal—an acceptable outcome.

The revised and expanded rear addition would delete the 'shed' dormer on the east roof plane—a lacklustre late 20<sup>th</sup>-century element. In its place, a low-pitched gabled roof addition is proposed. This addition's well-setback siting, between the extant ridgeline and eaves, is respectful of the subject site's character. In particular, allowing for the continued visual dominance of the hipped roof from the public realm. The east addition's overall visibility from College Street would be low and chiefly oblique. Any glimpses would be of a low-key traditional form clad in sympathetic materials.

The forward proposed window in the east elevation would be recessed (creating a strong shadow/light interplay) and situated behind the existing gabled dormer in the east elevation. Both factors meaningfully reduce its prominence and make it a supportable component of the proposal.

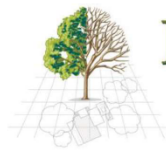
The greater setback of the addition in the west, combined with the large-scale presence of the adjacent gabled party wall (no. 40), effectively screens this component of the new work from public view. Vertical laid timber boards are proposed for this section, which would provide an appropriately distinguishable but recessive backdrop for the retained chimney. The extant built topography also block sightlines to the addition from Curtis Road.

Overall, as visible from College Street, the principal form and detailing of the asset would be unaffected by the new work and remain visually ascendant at the site.

This report's view is that the new work is in line with the heritage policy's objectives and presents a supportable result for the subject site—a modified late Victorian cottage—and immediate streetscape. The overall moderate change would achieve a marked increase in amenity for the residence without detracting from its mostly positive contribution to the Town of Waterview HCA.

END OF REPORT

## Attachment D – Arborist Report



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# Arboricultural Impact Appraisal and Method Statement

42 College Street  
Balmain, NSW

Prepared for  
Ballast Point

---

24 August 2021

by Andrew Scales

Dip. Horticulture / Dip. Arboriculture AQF5

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### Summary

The proposed development includes alterations and additions to the existing dwelling plus the installation of a new plunge pool. I have inspected all the trees that could be affected and list their details in Appendix 2. Based on this information, I provided guidance to project architect on the constraints these trees impose on the use of the site.

Three high category trees will be lost because of this proposal. The proposed changes may adversely affect a further two high category trees and two low category trees if appropriate protective measures are not taken. However, if adequate precautions to protect the retained trees are specified and implemented through the arboricultural method statement included in this report, the development proposal is expected to have a relatively high impact on the contribution of trees to local amenity or character.



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## 1. INTRODUCTION

- 1.1 **Instruction:** I am instructed by Ballast Point to inspect the tree population at 42 College Street, Balmain and to provide an arboricultural report to accompany a development application. This report investigates the impact of the proposed development on trees and provides the following guidelines for appropriate tree management and protective measures:
- a schedule of the relevant trees to include basic data and a condition assessment;
  - an appraisal of the impact of the proposal on trees and any resulting impact that has on local character and amenity;
  - a preliminary arboricultural method statement setting out appropriate protective measures and management for trees to be retained
- 1.2 **Purpose of this report:** This report provides an analysis of the impact of the development proposal on trees with additional guidance on appropriate management and protective measures. Its primary purpose is for the council to review the tree information in support of the planning submission and use as the basis for issuing a planning consent or engaging in further discussions towards that end. Within this planning process, it will be available for inspection by people other than tree experts, so the information is presented to be helpful to those without a detailed knowledge of the subject.
- 1.3 **Qualifications and experience:** I have based this report on my site observations and the provided information, and I have come to conclusions in the light of my experience. I have experience and qualifications in arboriculture and include a summary in Appendix 1.
- 1.4 **Documents and information provided:** Ballast Point provided me with copies of the following documents:
- Survey Plan, Dwg No. 200609, by Benchmark Surveys NSW Pty Ltd dated 17 June 2020; and
  - Plans, Elevations and Sections, Dwg No. A2.5 to A3.3, by Ballast Point dated 18 August 2021.
- 1.5 **Scope of this report:** This report is only concerned with seven trees, four located within the subject site and three adjacent to it, on private property. It takes no account of other trees, shrubs or groundcovers within the site unless stated otherwise. It includes a preliminary assessment based on the site visit and the documents provided, listed in 1.4 above.



**2. THE LAYOUT DESIGN**

2.1 **Tree AZ method of tree assessment:** The TreeAZ assessment method determines the worthiness of trees in the planning process. TreeAZ is based on a systematic method of assessing whether individual trees are important and how much weight they should be given in management considerations. Simplistically, trees assessed as potentially important are **categorised as 'A'** and those assessed as **less important are categorised as 'Z'**. Further explanation of TreeAZ can be found in Appendix 3.

In the context of new development, all the Z trees are discounted as a material constraint in layout design. All the A trees are potentially important and they dictate the design constraints. This relatively simple constraints information is suitable for use by the architect to optimise the retention of the best trees in the context of other material considerations.

2.2 **Site visit and collection of data**

2.2.1 **Site visit:** I carried out a site visit on 11 August 2021. All my observations were from ground level and I estimated all dimensions unless otherwise indicated. Aerial inspections, root or soil analysis, exploratory root trenching and internal diagnostic testing was not undertaken as part of this assessment. I did not have access to trees on other private properties and have confined observations of them to what was visible from within the property. The weather at the time of inspection was clear and dry with good visibility.

2.2.2 **Brief site description:** 42 College Street is located in the residential suburb of Balmain (refer figure 1). The site is on the western side of the road and surrounded by similar residential development. The property consists of a one and two storey weatherboard house that is currently occupied and set to the front of the site boundaries. A variety of indigenous trees are scattered around the site boundaries.

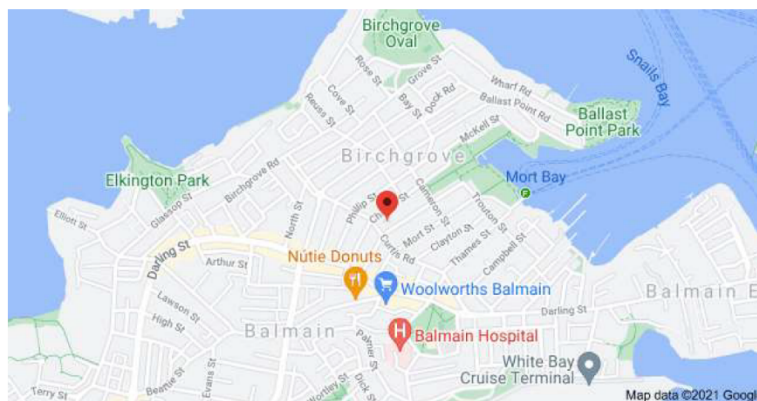


Figure 1: The location of the subject site (www.googlemaps.com).



- 2.2.3 **Collection of basic data:** I inspected each tree and have collected information on species, height, diameter, maturity and potential for contribution to amenity in a development context. I have recorded this information in the tree schedule included, with explanatory notes, in Appendix 2. Each tree was then allocated to one of four categories (**AA**, **A**, **Z** or **ZZ**), which reflected its suitability as a material constraint on development.
- 2.2.4 **Identification and location of the trees:** I have illustrated the locations of the significant trees on the Tree Management Plan (Plan TMP01) included as Appendix 8. This plan is for illustrative purposes only and it should not be used for directly scaling measurements.
- 2.2.5 **Advanced interpretation of data:** Australian Standard *Protection of trees on development sites* (AS4970-2009), recommends that the trunk diameter measurement for each tree is used to calculate the tree protection zone (TPZ), which can then be interpreted to identify the design constraints and, once a layout has been consented, the exclusion zone is to be protected by barriers.
- 2.3 **The use of the tree information in layout design:** Following my inspection of the trees, the information listed in Appendix 2 was used to provide constraints guidance based on the locations of all the A trees. All the Z trees were discounted because they were not considered worthy of being a material constraint. This guidance identified two zones of constraint based on the following considerations:
- **The tree protection zone (TPZ)** is an area where ground disturbance must be carefully controlled. The TPZ was established according to the recommendations set out in AS4970-2009 and is the radial offset distance of twelve (x12) times the trunk diameter. In principle, a maximum encroachment of 10% is acceptable within the TPZ and a high level of care is needed during any activities that are authorised within it if important trees are to be successfully retained.
  - **The structural root zone (SRZ)** is a radial distance from the centre of a **tree's trunk, where it is likely that structural**, woody roots would be encountered. The distance is calculated on trunk flare diameter at ground level. The SRZ may also be influenced by natural or built structures, such as rocks and footings. The SRZ only needs to be calculated when major encroachment (>10%) into a TPZ is proposed.



**3. ARBORICULTURAL IMPACT APPRAISAL**

3.1 **Summary of the impact on trees:** I have assessed the impact of the proposal on trees by the extent of disturbance in TPZs and the encroachment of structures into the SRZ (as set out briefly in 2.3 above and more extensively in Appendix 2). All the trees that may be affected by the development proposal are listed in Table 1

**Table 1: Summary of existing trees and trees that may be affected by development**

Impact	Reason	Important trees		Unimportant trees	
		AA	A	Z	ZZ
Retained trees that may be affected through disturbance to TPZs	Removal of existing surfacing/structures/landscaping and/or installation of new surfacing/structures/landscaping		4, 5	6, 7	
Trees to be removed	Pool construction and/or level variations within TPZ		1, 2, 3		

3.2 **Detailed impact appraisal**

3.2.1 **Category A trees to be lost:** The proposed development will necessitate the removal of three high category trees (Trees 1, 2 and 3). The excavation for the proposed plunge pool comes within 1m of these trees and will impede with the SRZ. These trees are considered moderate to high significance and display good health and condition. In order to compensate for loss of amenity, consideration should be given to replacement planting within the site.

3.2.2 **Category A trees that could potentially be adversely affected through TPZ disturbance:** Two category A trees (Trees 4 and 5) could potentially be adversely affected through disturbance to their TPZs as follows:

- Tree 4: This is an important tree on the adjoining property. The proposed works remain outside the TPZ of Tree 4 and direct impacts are not expected. I have reviewed the situation carefully and my experience is that this tree could be successfully retained without any adverse effects if appropriate protective measures are properly specified and controlled through a detailed arboricultural method statement.
- Tree 5: This is an important tree on the adjoining property. The proposed pool excavation will occupy 6% of its TPZ and is in accordance with AS4970-2009 recommendations. The remaining alterations occur to the existing dwelling and are not expected to have any detrimental impact. The



existing compacted granite, within the subject site, will provide suitable ground and root protection during the works. I have reviewed the situation carefully and my experience is that this tree could be successfully retained without any adverse effects if appropriate protective measures are properly specified and controlled through a detailed arboricultural method statement.

- 3.2.3 **Low category trees to be retained:** Trees 6 and 7 remain outside the works area and could be successfully retained without any adverse effects if appropriate protective measures are properly specified and controlled through a detailed arboricultural method statement.

### 3.3 **Proposals to mitigate any impact**

- 3.3.1 **Protection of retained trees:** The successful retention of trees within the site will depend on the quality of the protection and the administrative procedures to ensure protective measures remain in place throughout the development. An effective way of doing this is through an arboricultural method statement that can be specifically referred to in the planning condition. An arboricultural method statement for this site is set out in detail in Section 4.

- 3.3.2 **Summary of the impact on local amenity:** Three high category trees will be lost because of this proposal. The proposed changes may adversely affect a further two high category trees and two low category trees if appropriate protective measures are not taken. However, if adequate precautions to protect the retained trees are specified and implemented through the arboricultural method statement included in this report, the development proposal is expected to have a relatively high impact on the contribution of trees to local amenity or character.



## 4. ARBORICULTURAL METHOD STATEMENT

### 4.1 Introduction

4.1.1 **Terms of reference:** The impact appraisal in Section 3 identified the potential impacts on trees caused by proposed development. Section 4 is an arboricultural method statement setting out management and protection details that must be implemented to secure successful tree retention. It has evolved from Australian Standard AS4970-2009 *Protection of trees on development sites*.

4.1.2 **Plan TMP01:** Plan TMP01 in Appendix 8 is illustrative and based entirely on provided information. This plan should only be used for dealing with the tree issues and all scaled measurements must be checked against the original submission documents. The precise location of all protective measures must be confirmed at the pre-commencement meeting before any demolition or construction activity starts. Its base is the existing land survey, which has the proposed layout superimposed so the two can be easily compared. It shows the existing trees numbered, with high categories (A) highlighted in green triangles and low categories (Z) highlighted in blue rectangles. It also shows the locations of the proposed protective measures.

### 4.2 Tree protection with fencing and ground protection

4.2.1 **Protection fencing:** Tree protection fencing must comply with AS4970 (section 4.3) recommendations. An illustrative guide is included as Appendix 4. The approximate location of the barriers and the TPZs is illustrated on plan TMP01. The precise location of the fencing must be agreed with the project Arborist before any development activity starts.

4.2.2 **Ground protection:** Any TPZs outside the protective fencing must be covered in ground protection based on AS4970 recommendations until there is no risk of damage from the demolition and construction activity. An illustrative specification for this ground protection is included as Appendix 5. On this site, it must be installed near Trees 4 and 5 as illustrated on plan TMP01 before any demolition and construction starts.

4.3 **Precautions when working in TPZs:** Any work in TPZs must be done with care as set out in Appendix 6. On this site, special precautions must be taken near Trees 4 and 5 as illustrated on plan TMP01 and summarised below:

- **Removal of existing surfacing/structures and replacement with new surfacing/structures:** Trees 4 and 5 may be adversely affected by the demolition and construction works or the installation of a small area of new surfacing. Any adverse impact must be minimised by following the guidance set out in Appendix 6.

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- **Installation of new soft landscaping:** All landscaping activity within TPZs has the potential to cause severe damage and any adverse impact must be minimised by following the guidance set out in Section 7 of Appendix 6.
- **Installation of new services or upgrading of existing services:** It is often difficult to clearly establish the detail of services until the construction is in progress. Where possible, it is proposed to use the existing services into the site and keep all new services outside TPZs. However, where existing services within TPZs require upgrading or new services have to be installed in TPZs, great care must be taken to minimise any disturbance. Trenchless installation should be the preferred option but if that is not feasible, any excavation must be carried out by hand according to the guidelines set out in Section 6 of Appendix 6. If services do need to be installed within TPZs, consultation must be obtained from the project Arborist and/or council before any works are carried out.
- **Damage to street trees:** Any damage to street trees as a result of erection of hoardings, scaffolding or due to the loading/unloading of vehicles **adjacent the site must be immediately reported to the Council's Street Tree Contract Coordinator**, in order to determine the appropriate action for maintaining the health and structural integrity of any damaged street tree.

#### 4.4 Other tree related works

- 4.4.1 **Site storage, cement mixing and washing points:** All site storage areas, cement mixing and washing points for equipment and vehicles must be outside TPZs unless otherwise agreed with the project Arborist and/or council. Where there is a risk of polluted water run off into TPZs, heavy-duty plastic sheeting and sandbags must be used to contain spillages and prevent contamination.
- 4.4.2 **Pruning:** Any pruning that is required to accommodate hoardings, scaffolding or to accommodate the unloading/loading of vehicles and has been approved by Council shall be carried out by a qualified Arborist (AQF3) and must be in **accordance with AS4373 Australian Standards 'Pruning of Amenity Trees'**.

#### 4.5 Programme of tree protection and supervision

- 4.5.1 **Overview:** Tree protection cannot be reliably implemented without arboricultural input. The nature and extent of that input varies according to the complexity of the issues and the resources available on site. For this site, a summary of the level of arboricultural input that is likely to be required is set out in Appendix 7. The project arborist must be instructed to work within this framework to oversee the implementation of the protective measures and management proposals set out in this arboricultural method statement.



The framework in Appendix 7 must form the basis for the discharge of planning conditions through site visits by the project arborist. These supervisory actions must be confirmed by formal letters circulated to all relevant parties. These permanent records of each site visit will accumulate to provide the proof of compliance and allow conditions to be discharged as the development progresses. The developer must instruct the project arborist to comply with the supervision requirements set out in this document before any work begins on site.

4.5.2 **Phasing of arboricultural input:** Trees can only be properly budgeted for and factored into the developing work programmes if the overall project management takes full account of tree issues once consent is confirmed. The project arborist must be involved in the following phases of the project management:

1. **Administrative preparation before work starts on site:** It is normal for a development proposal to vary considerably from the expectations before consent as the detailed planning of implementation evolves. The early instruction of the project arborist ensures that tree issues are factored into the complexities of site management and can often help ease site pressures through creative approaches to tree protection. Pre-commencement discussions between the project arborist **and the developer's team is an effective means of managing the tree issues with difficult constraints.**

2. **Pre-commencement site meeting:** A pre-commencement meeting must be held on site before any of the demolition and construction work begins. This must be attended by the site manager and the project arborist. Any clarifications or modifications to the consented details must be recorded and circulated to all parties in writing. This meeting is where the details of the programme of tree protection will be agreed and finalised by all parties, which will then form the basis of any supervision arrangements between the project arborist and the developer.

3. **Site supervision:** Once the site is active, the project arborist must visit at an interval agreed at the pre-commencement site meeting. The supervision arrangement must be sufficiently flexible to allow the supervision of all sensitive works as they occur. The project arborist's **initial** role is to liaise with developer to ensure that appropriate protective measures are designed and in place before any works start on site. Once the site is working, that role will switch to monitoring compliance with arboricultural conditions and advising on any tree problems that arise or modifications that become necessary.

4.6 **Site management:** It is the developer's responsibility to ensure that the details of this arboricultural method statement and any agreed amendments are known and understood by all site personnel. Copies of the agreed documents must be kept on site at all times and the site manager must brief all personnel who could have an impact on trees on the specific tree protection requirements. This must be a part of the site induction procedures and written into appropriate site management documents.



**5. HOW TO USE THIS REPORT**

5.1 **Limitations:** It is common that the detail of logistical issues such as site storage and the build programme are not finalised until after consent is issued. As this report has been prepared in advance of consent, some of its content may need to be updated as more detailed information becomes available once the post-consent project management starts. Although this document will remain the primary reference in the event of any disputes, some of its content may be superseded by authorised post-consent amendments.

5.2 **Suggestions for the effective use of this report:** Section 4 of this report, including the relevant appendices, is designed as an enforcement reference. It is constructed so the council can directly reference the detail in a planning condition. Referencing the report by name and relating conditions to specific subsections is an effective means of reducing confusion and facilitating enforcement in the event of problems during implementation. More specifically, the following issues should be directly referenced in the conditions for this site:

- |   |                                  |
|---|----------------------------------|
| 1. Pre-commencement meeting             | 4.5                              |
| 2. Protection fence                     | 4.2.1 and Appendix 4             |
| 3. Ground protection                    | 4.2.2 and Appendix 5             |
| 4. Removal of surfacing/structures      | 4.3 and Appendix 6 (Section 4)   |
| 5. Installation of surfacing/structures | 4.3 and Appendices 6 (Section 5) |
| 6. Services                             | 4.3 and Appendix 6 (Section 6)   |
| 7. Landscaping                          | 4.3 and Appendix 6 (Section 7)   |
| 8. Programming of tree protection       | 4.5 and Appendix 7               |
| 9. Arboricultural supervision           | 4.5 and Appendix 7               |

Each of the above matters shall be supervised by the project arborist and the relevant conditions can only be discharged once that supervision has been confirmed in writing to the relevant parties. The last column of the table in Appendix 7 is to be used so that the various supervision issues can be recorded as they are confirmed by supervision letters. It is intended to act as a summary quick reference to help keep track of the progress of the supervision.



## 6. OTHER CONSIDERATIONS

- 6.1 **Trees subject to statutory controls:** The subject trees are legally protected under Inner West Council's Tree Preservation Order, it will be necessary to consult the council before any pruning or removal works other than certain exemptions can be carried out. The works specified above are necessary for reasonable management and should be acceptable to the council. However, tree owners should appreciate that the council may take an alternative point of view and have the option to refuse consent.
- 6.2 **Trees outside the property:** Trees located in the adjacent properties effectively out of the control of the owners of 42 College Street, Balmain. It will not be possible to easily carry out the recommended works without the full cooperation of the tree owners. The implications of non-cooperation require legal interpretation and are beyond the scope of this report.

## 7. BIBLIOGRAPHY

### 7.1 List of references:

Australian Standard AS4373-2007 *Pruning of Amenity Trees*.  
Standards Australia.

Australian Standard AS4970-2009 *Protection of trees on development sites*.  
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Barrell, J (2009) *Draft for Practical Tree AZ version 9.02 A+NZ*  
Barrel Tree Consultancy, Bridge House, Ringwood BH24 1EX

Brooker, M. Kleinig, D (1999) *Field guide to eucalypts – South eastern Aust.*  
Blooming Books, Hawthorn Vic.

Matheny, N.P. & Clark, J.R. (1998) *Trees & Development: A Technical Guide to Preservation of Trees During Land Development*  
International Society of Arboriculture, Savoy, Illinois.

Mattheck, Dr. Claus R., Breloer, Helge (1995) *The Body Language of Trees - A Handbook for Failure Analysis*:  
The Stationery Office, London. England.

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**8. DISCLAIMER****8.1 Limitations on use of this report:**

*This report is to be utilized in its entirety only. Any written or verbal submission, report or presentation that includes statements taken from the findings, discussions, conclusions or recommendations made in this report, may only be used where the whole of the original report (or a copy) is referenced in, and directly attached to that submission, report or presentation.*

**ASSUMPTIONS**

*Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible: however, Naturally Trees can neither guarantee nor be responsible for the accuracy of information provided by others.*

*Unless stated otherwise:*

- *Information contained in this report covers only those trees that were examined and reflects the condition of those trees at time of inspection: and*
- *The inspection was limited to visual examination of the subject trees without dissection, excavation, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the subject trees may not arise in the future.*

Yours sincerely



Andrew Scales  
Dip. Horticulture  
Dip. Arboriculture AQF5



## APPENDIX 1

## Brief qualifications and experience of Andrew Scales

**1. Qualifications:**

Associate Diploma Horticulture	Northern Sydney Institute of TAFE	1998
Certificate in Tree Surgery	Northern Sydney Institute of TAFE	1998
Diploma of Horticulture (Arboriculture)	Northern Sydney Institute of TAFE	2006
Diploma of Arboriculture AQF5	Northern Sydney Institute of TAFE	2019

**2. Practical experience:** Being involved in the arboricultural/horticultural industry for in excess of 20 years, I have developed skills and expertise recognized in the industry. Involvement in the construction industry and tertiary studies has provided me with a good knowledge of tree requirements within construction sites.

As director of Naturally Trees, in this year alone I have undertaken hundreds of arboricultural consultancy projects and have been engaged by a range of clients to undertake tree assessments. I have gained a wide range of practical tree knowledge through tree removal and pruning works.

**3. Continuing professional development:**

Visual Tree Assessment (Prof. Dr. Claus Mattheck)	Northern Sydney Institute of TAFE	2001
Wood Decay in Trees (F.W.M.R.Schwarze)	Northern Sydney Institute of TAFE	2004
Visual Tree Assessment (Prof. Dr. Claus Mattheck)	Carlton Hotel, Parramatta NSW	2004
Tree A-Z / Report Writing (Jeremy Barrell)	Northern Sydney Institute of TAFE	2006
Up by Roots – Healthy Soils and Trees in the Built Environment (James Urban)	The Sebel Parramatta NSW	2008
Tree Injection for Insect Control (Statement of Attainment)	Northern Sydney Institute of TAFE	2008
Quantified Tree Risk Assessment (QTRA) Registered Licensee #1655	South Western Sydney Institute	TAFE 2011
Practitioners Guide to Visual Tree Assessment	South Western Sydney Institute	TAFE 2011
Quantified Tree Risk Assessment (QTRA) Registered Licensee #1655	Richmond College NSW	TAFE 2014
VALID Approach to Likelihood of Failure (David Evans)	Centennial Park NSW	2017



**APPENDIX 2**  
Tree schedule

NOTE: Colour annotation is AA & A trees with green background; Z & ZZ trees with blue background; trees to be removed in red text.

No.	Genus species	Height	Spread	DBH	TPZ	Foliage %	Age class	Defects   Comment	Location	Services	Significance	Tree AZ
1	<i>Eucalyptus microcorys</i>	24	14	600	7.2	80%	M	Nil	Garden	Nil	H	A2
2	<i>Eucalyptus microcorys</i>	30	16	900	10.8	80%	M	Nil	Garden	Nil	H	A2
3	<i>Corymbia tessellaris</i>	16	12	450	5.4	70%	M	Nil	Garden	Nil	M	A2
4	<i>Eucalyptus saligna</i>	12	8	300	3.6	60%	M	Nil	Garden	Nil	M	A1
5	<i>Brachychiton populneus</i>	9	5	500	6.0	80%	M	Nil	Garden	Nil	M	A1
6	<i>Archontophoenix alexandrae</i>	8	3	200	2.4	70%	M	Nil	Garden	Nil	L	Z12
7	<i>Tibouchina jules</i>	5	4	250	3.0	70%	M	Lopped, Epicormic	Garden	Building	L	Z9



Report on trees at 42 College Street, Balmain for Ballast Point  
 Ref: Ballast Point\_Balmain\_AIA and MS - 24/08/2021  
 Naturally Trees Arboticultural Consulting ©

[www.naturallytrees.com.au](http://www.naturallytrees.com.au)

### Explanatory Notes

- **Measurements/estimates:** All dimensions are estimates unless otherwise indicated. Measurements taken with a tape or clinometer are indicated with a “”. Less reliable estimated dimensions are indicated with a “?”.
- **Species:** The species identification is based on visual observations and the botanical name. In some instances, it may be difficult to quickly and accurately identify a particular tree without further detailed investigations. Where there is some doubt of the precise species of tree, it is indicated with a “?” after the name in order to avoid delay in the production of the report. The botanical name is followed by the abbreviation sp if only the genus is known. The species listed for groups and hedges represent the main component and there may be other minor species not listed.
- **Tree number:** relates to the reference number used on site diagram/report.
- **Height:** Height is estimated to the nearest metre.
- **Spread:** The average crown spread is visually estimated to the nearest metre from the outermost tips of the live lateral branches.
- **DBH:** These figures relate to 1.4m above ground level and are recorded in millimetres. If appropriate, diameter is measured with a diameter tape. ‘M’ indicates trees or shrubs with multiple stems.
- **Foliage Cover:** Percent of estimated live foliage cover for particular species range.
- **Age class:**

Y	Young = recently planted
S	Semi-mature (<20% of life expectancy)
M	Mature (20-80% of life expectancy)
O	Over-mature (>80% of life expectancy)
- **TPZ:** The Tree Protection Zone (TPZ) is the radial offset distance of twelve times the trunk diameter in meters.
- **Tree AZ:** See reference for Tree AZ categories in Appendix 3.
- **Significance:** A tree’s significance/value in the landscape takes into account its prominence from a wide range of perspectives. This includes, but is not limited to neighbour hood perspective, local perspective and site perspective. The significance of the subject trees has been categorized into three groups, such as: High, Moderate or Low significance.





**APPENDIX 3**  
**TreeAZ Categories (Version 10.04-ANZ)**

**Z Category Z: Unimportant trees not worthy of being a material constraint**

**Local policy exemptions:** Trees that are unsuitable for legal protection for local policy reasons including size, proximity and species

<b>Z1</b>	Young or insignificant small trees, i.e. below the local size threshold for legal protection, etc
<b>Z2</b>	Too close to a building, i.e. exempt from legal protection because of proximity, etc
<b>Z3</b>	Species that cannot be protected for other reasons, i.e. scheduled noxious weeds, out of character in a setting of acknowledged importance, etc

**High risk of death or failure:** Trees that are likely to be removed within 10 years because of acute health issues or severe structural failure

<b>Z4</b>	Dead, dying, diseased or declining
<b>Z5</b>	Severe damage and/or structural defects where a high risk of failure cannot be satisfactorily reduced by reasonable remedial care, i.e. cavities, decay, included bark, wounds, excessive imbalance, overgrown and vulnerable to adverse weather conditions, etc
<b>Z6</b>	Instability, i.e. poor anchorage, increased exposure, etc

**Excessive nuisance:** Trees that are likely to be removed within 10 years because of unacceptable impact on people

<b>Z7</b>	Excessive, severe and intolerable inconvenience to the extent that a locally recognised court or tribunal would be likely to authorise removal, i.e. dominance, debris, interference, etc
<b>Z8</b>	Excessive, severe and intolerable damage to property to the extent that a locally recognised court or tribunal would be likely to authorise removal, i.e. severe structural damage to surfacing and buildings, etc

**Good management:** Trees that are likely to be removed within 10 years through responsible management of the tree population

<b>Z9</b>	Severe damage and/or structural defects where a high risk of failure can be temporarily reduced by reasonable remedial care, i.e. cavities, decay, included bark, wounds, excessive imbalance, vulnerable to adverse weather conditions, etc
<b>Z10</b>	Poor condition or location with a low potential for recovery or improvement, i.e. dominated by adjacent trees or buildings, poor architectural framework, etc
<b>Z11</b>	Removal would benefit better adjacent trees, i.e. relieve physical interference, suppression, etc
<b>Z12</b>	Unacceptably expensive to retain, i.e. severe defects requiring excessive levels of maintenance, etc

**NOTE:** Z trees with a high risk of death/failure (Z4, Z5 & Z6) or causing severe inconvenience (Z7 & Z8) at the time of assessment and need an urgent risk assessment can be designated as ZZ. ZZ trees are likely to be unsuitable for retention and at the bottom of the categorisation hierarchy. In contrast, although Z trees are not worthy of influencing new designs, urgent removal is not essential and they could be retained in the short term, if appropriate.

**A Category A: Important trees suitable for retention for more than 10 years and worthy of being a material constraint**

<b>A1</b>	No significant defects and could be retained with minimal remedial care
<b>A2</b>	Minor defects that could be addressed by remedial care and/or work to adjacent trees
<b>A3</b>	Special significance for historical, cultural, commemorative or rarity reasons that would warrant extraordinary efforts to retain for more than 10 years
<b>A4</b>	Trees that may be worthy of legal protection for ecological reasons (Advisory requiring specialist assessment)

**NOTE:** Category A1 trees that are already large and exceptional, or have the potential to become so with minimal maintenance, can be designated as AA at the discretion of the assessor. Although all A and AA trees are sufficiently important to be material constraints, AA trees are at the top of the categorisation hierarchy and should be given the most weight in any selection process.

TreeAZ is designed by Barrell Tree Consultancy ([www.treeaz.com/tree\\_az/](http://www.treeaz.com/tree_az/))



**APPENDIX 4**  
**Tree protection fencing and signs - Illustrative specification**

**Protective fencing:** Protective 1.8m high fencing should be installed at the location illustrated on the Tree Management Plan before any site works start. All uprights should be fixed in position for the duration of the development activity. The fixings must be able to withstand the pressures of everyday site work.

Inside the protective fencing, the following rules must be strictly observed:

- **No vehicular access**
- **No storage of excavated debris, building materials or fuels**
- **No excessive cultivation for landscape planting**
- **No fires**
- **No mixing of cement**
- **No service installation or excavation**

Once erected, protective fencing must not be removed or altered without consulting first with the project Arborist.

Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area and signage must be attached to outside of fencing.

**Signage:** All signs are to provide clear and readily accessible information to indicate that a TPZ has been established. Signage identifying the TPZ must be attached to outside of fencing and be visible from within the development site.



Signage example:



**Legend**

1. Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
2. Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
3. Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
4. Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

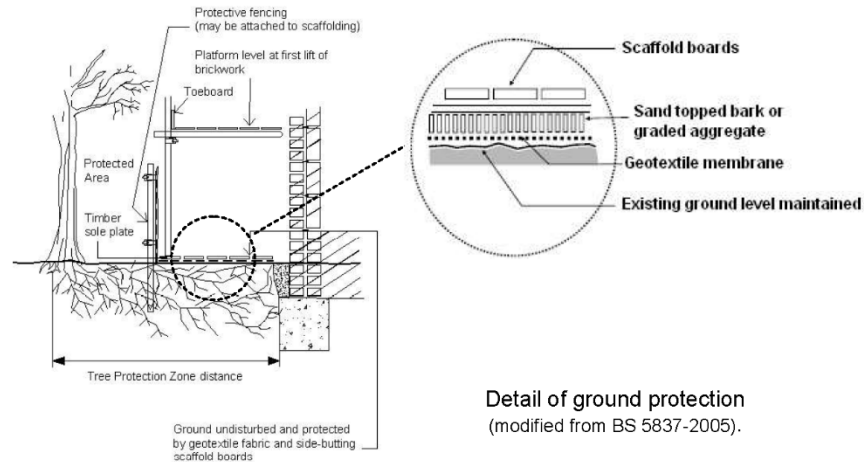
(Naturally Trees- reproduced under copyright Licence number 1009-c095)



**APPENDIX 5**

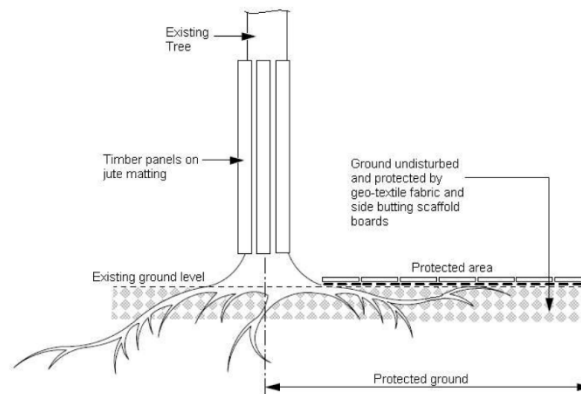
**Root zone and trunk protection - Illustrative specification**

**Root zone protection:** Where necessary, access through the TPZ can be achieved by laying aggregate and timber boards (or similar) over the root zone to protect roots. The ground beneath the boarding should be left undisturbed and should be protected with a porous geo-textile fabric covered with sand or mulch.



Detail of ground protection (modified from BS 5837-2005).

**Trunk protection:** Where fencing cannot be installed, the vertical trunk of exposed trees shall be protected by the placement of 3.6m lengths of 50 x 100mm hardwood timbers, spaced vertically, at 150mm centres and secured by 2mm wire at 300mm wide spacing over suitable protective padding material e.g. Jute Matting. The trunk protection shall be maintained intact until the completion of all work on site.



Detail of trunk protection.



**APPENDIX 6****General guidance for working in TPZ****1 PURPOSE OF THIS GUIDANCE**

This guidance sets out the general principles that must be followed when working within a TPZ. Where more detail is required, it will be supplemented by illustrative specifications in other appendices in this document (refer Appendix 4 and 5).

This guidance is based on the Australian Standards (2009) AS4970: *Protection of Trees on Construction Sites*.

Once the site works start, this guidance is specifically for the site personnel to help them understand what has been agreed and explain what is required to fully meet their obligations to protect trees. All personnel working in TPZs must be properly briefed about their responsibilities towards important trees based on this guidance.

This guidance should always be read in conjunction with the Tree Management Plan (TMP01) illustrating the areas where specific precautions are necessary. Each area where precautions are required is explained on the plan as identified on the legend. All protective measures should be installed according to the prevailing site conditions and agreed as satisfactory by the Project Arborist before any demolition or construction work starts.

**2 TREE PROTECTION****2.1 Tree Protection Zone (TPZ)**

The TPZ is a radial setback, extending outwards from the centre of the trunk, where disturbance must be minimised if important trees are to be successfully retained. The TPZ area is illustrated on the Tree Management Plan (TMP01) accompanying this guidance.

- The TPZ is a radial setback extending outwards from the centre of the trunk equal to the DBH x 12.
- This area shall be protected by tree protective fencing (refer Appendix 4).
- Any part of the TPZ outside of the tree protective fencing area must be isolated from the work operations by protective barriers and/or root zone protection for the duration of the work (refer Appendix 5).
- The Project Arborist shall approve the extent of the TPZ prior to commencement of works.
- The TPZ shall be mulched to a depth of 90mm with approved organic mulch e.g. leaf and wood chip where possible.
- Supplementary watering shall be provided in dry periods to reduce water or construction stress, particularly to those trees which may incur minor root disturbance.

The following activities shall be excluded within the TPZ:

- Excavation, compaction or disturbance of the existing soil.
- The movement or storage of materials, waste or fill.
- Soil level changes
- Disposal/runoff of waste materials and chemicals including paint, solvents, cement slurry, fuel, oil and other toxic liquids
- Movement or storage of plant, machinery, equipment or vehicles.
- Any activity likely to damage the trunk, crown or root system.

**2.2 Arboricultural supervision**

Any work within TPZs requires a high level of care. Qualified arboricultural supervision is essential to minimise the risk of misunderstanding and misinterpretation. Site personnel must be properly briefed before any work starts. Ongoing work must be inspected regularly and, on completion, the work must be signed off by the Project Arborist to confirm compliance by the contractor.

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### 2.3 Tree protection fencing, root zone and trunk protection

Prior to site establishment, tree protection fencing and root zone and trunk protection shall be installed to establish the TPZ for trees to be retained in accordance with site conditions. These protective barriers shall be maintained entire for the duration of the construction program (refer Appendix 4 and 5).

Tree protection fencing and trunk and root zone protection shall be removed following completion of construction. The mulch layer in the TPZ shall be retained and replenished where required to maintain a 75mm thickness

### 2.4 Pruning

All pruning work required (including root pruning) should be in accordance with Australian Standard No 4373-1996 - Pruning of Amenity Trees.

### 2.5 Tree Damage

In the event of damage to a tree or the TPZ, the Project Arborist shall be engaged to inspect and provide advice on remedial action. This should be implemented as soon as practicable and certified by the Project Arborist.

### 2.6 Post construction maintenance

In the event of any tree deteriorating in health after the construction period, the Project Arborist shall be engaged to provide advice on any remedial action. Remedial action shall be implemented as soon as practicable and certified by the Project Arborist.

## 3 EXCAVATION AND FILL IN TPZ

### 3.1 Excavation within TPZ

If excavation within the TPZ is required the following shall be applied to preserve tree root systems:

- Excavation within TPZ must be carried out under the instruction and supervision of the Project Arborist.
- A root mapping exercise is to be undertaken and certified by the Project Arborist. Root mapping shall be undertaken by either ground penetrating radar, air spade, water laser or by hand excavation using hand tools, taking care not to damage the bark and wood of any roots.
- The purpose of the root mapping shall be to locate woody structural roots greater than 40mm in diameter. Where possible, flexible clumps of smaller roots, including fibrous roots, should be retained if they can be displaced temporarily or permanently beyond the excavation without damage.
- If digging by hand, a fork shall be used to loosen the soil and help locate any substantial roots.
- Once roots have been located, the trowel shall be used to clear the soil away from them without damaging the bark.
- Exposed roots to be removed shall be cut cleanly with a sharp saw or secateurs.
- Roots temporarily exposed shall be protected from direct sunlight, drying out and extremes of temperature by appropriate covering.

### 3.2 Fill within TPZ

Placement of fill material within the Tree Protection Zone of trees to be retained should be avoided where possible. However, where fill cannot be avoided:

- All fill material to be placed within the TPZ should be approved by Project Arborist and consist of a course, gap-graded material to provide aeration and percolation to the root zone. Materials containing a high **percentage of 'fines'** is unacceptable for this purpose.
- The fill material should be consolidated with a non-vibrating roller to minimise compaction of the underlying soil.
- No fill material should be placed in direct contact with the trunk.



## 4 DEMOLITION OF SURFACING/STRUCTURES IN TPZ

### 4.1 Definitions of surfacing and structures

For the purposes of this guidance, the following broad definitions apply:

- **Surfacing:** Any hard surfacing used as a vehicular road, parking or pedestrian path including tarmac, solid stone, crushed stone, compacted aggregate, concrete and timber decking.
- **Structures:** Any man-made structure above or below ground including service pipes, walls, gate piers, buildings and foundations. Typically, this would include drainage structures, services, car-ports, bin stores and concrete slabs that support buildings.

### 4.2 Demolition and access

Roots frequently grow adjacent to and beneath existing surfacing/structures so great care is needed during access and demolition. Damage can occur through physical disturbance of roots and/or the compaction of soil around them from the weight of machinery or repeated pedestrian passage. This is not generally a problem whilst surfacing/structures are in place because they spread the load on the soil beneath and further protective measures are not normally necessary. However, once they are removed and the soil below is newly exposed, damage to roots becomes an issue and the following guidance must be implemented:

- No vehicular or repeated pedestrian access into TPZ permitted unless on existing hard surfacing or root zone protection.
- Regular vehicular and pedestrian access routes must be protected from compaction with temporary root zone protection as set out in Appendix 5.
- Where a TPZ is exposed by the work, it must be protected as set out in AS4970 until there is no risk of damage from the development activity.

### 4.3 Removal of surfacing/structures

Removing existing surfacing/structures is a high-risk activity for any adjacent roots and the following guidance must be observed:

- Appropriate tools for manually removing debris may include a pneumatic breaker, crow bar, sledgehammer, pick, mattock, shovel, spade, trowel, fork and wheelbarrow.
- Machines with a long reach may be used if they can work from outside the TPZ or from protected areas within the TPZ.
- Debris to be removed from the TPZ manually must be moved across existing hard surfacing or temporary root zone protection in a way that prevents compaction of soil. Alternatively, it can be lifted out by machines provided this does not disturb the TPZ.
- Great care must be taken throughout these operations not to damage roots.

## 5 INSTALLATION OF SURFACING/STRUCTURES IN TPZ

### 5.1 Basic principles: New surfacing/structures in a TPZ are potentially damaging to trees because they may disturb the soil and disrupt the existing exchange of water and gases in and out of it. Adverse impact on trees can be reduced by minimising the extent of these changes within the TPZ.

- **Surfacing:** Suitable surfacing should be relatively permeable to allow water and gas movement, load spreading to avoid localised compaction and require little or no excavation to limit direct damage. The actual specification of the surfacing is an engineering issue that needs to be considered in the context of the bearing capacity of the soil, the intended loading and the frequency of loading. The detail of product and specification are beyond the scope of this guidance and must be provided separately by the appropriate specialist.
- **Structures:** Where possible structures are to be constructed above ground level on piled supports and redirecting water to where it is needed. The detailed design and specification of such structures is an engineering issue that should be informed and guided by the Project Arborist. Conventional strip foundations in the TPZ for any significant structure may cause excessive root loss and are unlikely to be acceptable. However, disturbance can be significantly reduced by supporting the above ground part of the structures on small diameter piles/piers or

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cast floor slabs set above ground level. The design should be sufficiently flexible to allow the piles to be moved if significant roots are encountered in the preferred locations.

#### 5.2 Establishing the depth of roots

The precise location and depth of roots within the soil is unpredictable and will only be known when careful digging starts on site. Ideally, all new surfacing within a TPZ should be no-dig, i.e. requiring no excavation whatsoever, but this is rarely possible on undulating surfaces.

New surfacing normally requires an evenly graded sub-base layer, which can be made up to any high points with granular, permeable fills such as crushed stone or sharp sand. This sub-base must not be compacted as would happen in conventional surface installation. Some limited excavation is usually necessary to achieve this and need not be damaging to trees if carried out carefully and large roots are not cut.

Tree roots and grass roots rarely occupy the same soil volume at the top of the soil profile, so the removal of a turf layer up to 50mm is unlikely to be damaging to trees. It may be possible to dig to a greater depth depending on local conditions but this would need to be assessed by the Project Arborist.

#### 6 SERVICES IN TPZ

For the purposes of this guidance, services are considered as structures. Excavation to upgrade existing services or to install new services within a TPZ may damage retained trees and should only be chosen as a last resort. In the event that excavation emerges as the preferred option, the decision should be reviewed by the Project Arborist before any work is carried out. If excavation is agreed, all digging should be done carefully and follow the guidance set out in 3.1 above.

#### 7 SOFT LANDSCAPING IN TPZ

For the purposes of this guidance, soft landscaping includes the re-profiling of existing soil levels and covering the soil surface with new plants or an organic covering (mulch). It does not include the installation of solid structures or compacted surfacing.

Soft landscaping activity after construction can be extremely damaging to trees.

No significant excavation or cultivation shall occur within the TPZ (e.g. planting holes). Where new designs require levels to be increased to tie in with new structures or surrounding ground level, good quality and relatively permeable top soil should be used for the fill. It should be firmed into place but not over compacted in preparation for turfing or careful shrub planting.

All areas close to tree trunks should be kept at the original ground level and have a mulched finish rather than grass to reduce the risk of mowing damage.



**APPENDIX 7**  
**Schedule of works and responsibilities**

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1	Indicate clearly (with spray paint) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment
2	Establishment of tree protection fencing and additional root, trunk and/or branch protection	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3	Supervise all excavations works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree
4	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Monthly during construction period
5	Final inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Prior to the issue of Occupation Certificate





**APPENDIX 8**  
**Tree management plan**

-refer attached Tree Management Plan, Dwg No. TMP01,  
by Naturally Trees dated 24 August 2021



