



eZIGROW

Arborist Reports, Landscape Design, and Horticultural Consultation.

Arboricultural Impact Appraisal and Method Statement

194 – 214 Oxford Street
& 2 Nelson Street,
Bondi, NSW

Prepared for
Westgate BJ Pty Ltd

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EXECUTIVE SUMMARY

This Arboricultural Impact Assessment and Method Appraisal (Arborist Report) has been prepared by Stuart Sutton of Ezigrow to accompany a State Significant Development Application (SSDA) for a shop top housing development at 194-214 Oxford Street, 2 Nelson Street and part of Osmund Lane, Bondi Junction. The site is made up of nine (9) lots. The legal description of the site is outlined in Table 1.

Table 1 Legal Description

Property Address	Title Description
194 Oxford Street Bondi Junction	Lot 10 in DP260116
196 Oxford Street Bondi Junction	Lot 11 in DP260116
198 Oxford Street Bondi Junction	Lot 12 in DP 260116
200 Oxford Street Bondi Junction	Lot 13 in DP260116
204 Oxford Street Bondi Junction	Lot 16 in DP68010 Lot 1 in DP79947
214 Oxford Street Bondi Junction	Lot 1 in DP708295
2 Nelson Street Bondi Junction	Lot 1 in DP583228
Part of Osmund Lane	Lot 1 in DP1300781

This report has been prepared to address the Secretary's Environmental Assessment Requirements (**SEARs**) issued for the project (SSD-77175998).

This report concludes that the proposed development is suitable and warrants approval subject to the implementation of the following mitigation measures.

- No trees will need to be removed due to this proposed development. However, the proposed changes may adversely affect one high category tree and one low category tree if appropriate protective measures are not taken. However, if adequate precautions to protect the retained tree is specified and implemented through the arboricultural method statement included in this report, the development proposal will have little adverse impact on the contribution of this tree to the local amenity or character.

Following the implementation of the above mitigation measures, the remaining impacts are appropriate.

Introduction:

Following a design excellence competition, development consent was granted to DA-400/2021 (herein, referred to as the parent development consent) which authorised demolition of existing buildings and the construction of a shop top housing development comprising ground floor retail and 10 storeys of residential apartments above the retail podium, across two tower buildings (herein referred to as Building A and Building B). Subsequently, an amending DA (DA-360/2023) was approved on 28 August 2024 which amended the Basement Levels 4, 3, 2 and 1 and the Ground Floor Level of the approved development under the parent development consent.

The proposed SSDA generally seeks approval for the redevelopment of 194-214 Oxford Street, 2 Nelson Street and part of Osmund Lane, Bondi Junction, proposing to retain key design principles in accordance with the parent consent. The proposal will provide additional residential dwellings, in accordance with the in-fill affordable housing provisions under the *State Environmental Planning Policy (Housing) 2021* and incorporate a 30% increase in Gross Floor Area (GFA) and building height. The development of the site has physically commenced pursuant to the development consent, with demolition and excavation completed. Construction Certification has been obtained and construction is intended to continue for the lower portion of the building (up to Level 8).

Simultaneously with the construction of the lower parts of the building, the proponent seeks approval for new works to the remaining levels of the building (above level 9) as well as the internal fit out and servicing for the whole of the building (Basement to Level 16).

It is intended that the relationship between the approval of the SSDA and the existing consents be managed through the imposition of a condition pursuant to s 4.17(1)(b) of the EP&A Act and lodgement of a Notice of Modification pursuant to cl. 67 of the EP&A Regulation to ensure consistency across all development consents.

Specifically, this SSDA seeks development consent for:

Proposed New Works:

▪ Construction of Levels 9 – 16 of the residential towers including Buildings A (Western Tower) and Building B (Eastern Tower) comprising:

- Building A (Western Tower, Residential Levels 9 -13) – with a maximum height of 42.5m
- Building B (Eastern Tower, Residential Levels 9 -16) – with a maximum height of 54.0m
- Communal open space on Level 11 (Building A)
- Plant and lift overrun
- Public Domain Works

▪ Internal fit out of Levels 09 - 16

Proposed Amendments to Existing Parent Development Consent

▪ Internal fit out from Basement Levels 01 - 04

▪ Internal fit out from Ground Level to Level 08

▪ The allocation of 1,708m² of affordable housing on Levels 1,2 and 3 of Building A and Building B

▪ Additional services to overall development including an additional plant area at ground floor and an addition of a second substation

▪ Basement services , including additional parking spaces and updated storage and waste storage areas

▪ Awning over the ground retail along Oxford St and addition of a glazing window to create visual continuation from the neighbouring retail.

Cumulative Development (Existing Parent Development Consent and Subject SSDA)

▪ Construction of a shop-top housing development, comprising a podium with ground floor retail, two residential towers (Building A and Building B) as well as four levels of basement parking and associated public domain works.

- The delivery of a total of 11,288m² of GFA.

- 467m² of retail GFA.
- 85 apartments, equating to a total residential GFA of 10,792m² including 1,708m² (17 apartments) of affordable housing GFA.
- 29m² GFA for communal amenities, incl. WC, steam room and sauna
- The apartments will comprise the following mix:
 - 1 bedroom 2 (2%)
 - 2 bedroom 35 (42%)
 - 3 bedroom 48 (56%)
- 4 levels of basement for 138 car parking spaces and 45 motorbike parking spaces, with vehicular access from Osmund Lane.
- Storage areas and services.
- Communal open space and associated landscaping.

Purpose of this Report

The purpose of the project is to facilitate the delivery of (market and affordable) housing at a strategically located site and to deliver a built form outcome that is consistent with the outcomes of the design competition.

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) dated 25/10/2024 and issued for the SSDA (SSD-77175998). Specifically, this report has been prepared to respond to the SEARs requirement issued below.

Table 2 – SEARs Requirements

Item	Description of Requirement	Section Reference (this Report)
8. Trees and Landscaping	Assess the number, location, condition and significance of trees to be removed and retained and note any existing canopy coverage to be retained on-site	Section 3

The Site

The site is located at 194-214 Oxford Street and 2 Nelson Street, Bondi Junction within the Waverley LGA. The site is comprised of multiple allotments and is legally described as:

- 194-214 Oxford Street:
 - Lot 10, 11, 12, 13 & 16 / DP 260116,
 - Lot 1 / DP 708295,
 - Lot 1 / DP 79947, and
- 2 Nelson Street:
 - Lot 1 / DP 583228.
- Part of Osmund Lane (Lot 1 in DP1300781)

The land size is 2,480m² (2,599.1m² including the land beneath Osmund Lane) with a northern frontage to Sydney Enfield Drive, an eastern frontage to Nelson Street, a southern frontage to Oxford Street and western frontage to York Road.

Surrounding Context

The immediate urban context surrounding the site is characterised by a mix of commercial, retail, residential, and recreational land uses with Centennial Park located to the west and south-west of the site.

The site is in proximity to the Bondi Junction shopping and transport hub to the east, comprising Bondi Junction Westfield Shopping Centre, a pedestrian shopping mall and Bondi Junction Train Station. The site is located within the Western Precinct of Bondi Junction. The site is closely located to two (2) bus stops recognised as ID 202260 'Oxford St before York Rd' approximately 57m from the site and ID 202238 'Oxford St after York Rd' approximately 96m from the site. The site is in proximity to the Bondi Junction Train Station being within 800m from the site (5-minute walk).

The lot at 2 Nelson Street contains a local landscape heritage item I506 'Norfolk Pine-Landscape'. The remainder of the site has recently been demolished in accordance with the existing development consents.

The site will be progressively developed under the existing approvals and the remaining works will be the subject of this application.

Figure 1 Local Context



Figure 2 The Site



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1. INTRODUCTION

- 1.1 **Instruction:** I am instructed by Westgate BJ Pty Ltd to inspect the tree population at 194 – 214 Oxford Street and 2 Nelson Street, Bondi 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:** Westgate BJ Pty Ltd provided me with copies of the following documents:
- Detail and Level Survey. Dwg No. 2044/12, by Eric Scerri & Associates Pty Ltd dated 26th of October 2012.
 - GA_BASEMENT 03. Job No. 6289. Dwg No. DA-1001 Revision 3, by SJB Architects dated 28th February 2025
 - GA_GROUND FLOOR PLAN. Job No. 6289. Dwg No. DA-1011 Revision 3, by SJB Architects dated 28th February 2025.
 - GA_PUBLIC DOMAIN. Job No. 6289. Dwg No. DA-1010 Revision 3, by SJB Architects dated 28th February 2025.
- 1.5 **Scope of this report:** This report is only concerned with two trees, one located within the subject site and one adjacent to it, on public 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 an unaccompanied site visit on 26th August 2024. All my observations were from ground level and I estimated all dimensions except DBH which was measured with a tape measure. Aerial inspections, root or soil analysis, exploratory root trenching and internal diagnostic testing were not undertaken as part of this assessment.

2.2.2 **Brief site description:** 194 – 214 Oxford Street is located in the suburb of Bondi (refer figure 1). The site is on the northern side of the road and surrounded by similar residential and commercial/retail development. The property is currently a building site. Two native trees are located on the eastern side of the site, one within the property and one within a small council reserve adjacent to the site.



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 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	1		2	
Trees to be removed	Building and driveway construction and/or level variations within TPZ				

3.2 Detailed impact appraisal

3.2.1 **Category AA and A trees to be lost:** No high category trees will need to be removed due to these proposed works.

3.2.2 **Category AA and A trees that could potentially be adversely affected through TPZ disturbance:** One category AA trees (1) could potentially be adversely affected through disturbance to their TPZs as follows:

- Tree 1: This is an extremely prominent tree located on 2 Nelson Street with an existing unit block, garage block and hard surfacing near it. The proposal is to build a new unit block including excavation for new basement levels largely within the existing footprint of the unit block. A small amount (>10%) of addition encroachment into this trees TPZ is proposed but this is expected to have a low level of impact on the tree. The demolition of the existing garages and uplifting of the concrete surface and replacement with green open landscaping may cause harm if not carried out with care. 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. This tree has been struck by lightning, with some significant leaf browning occurring. The tree should continue to be protected and monitored to see if it recovers.

AS 4970-2009 identifies that encroachments of greater than 10% of a TPZ are major encroachment. To assist in identifying the extent of impacts to the trees I use the following guideline:

0% of root zone impacted – no impact of significance
0 to 10% of TPZ impacted – low level of impact
10 to 15% of TPZ impacted – low to moderate level of impact
15 to 20% of TPZ impacted – moderate level of impact
20 to 25% of TPZ impacted – moderate to high level of impact
25 to 35% of TPZ impacted – high level of impact
>35% of TPZ impacted – significant level of impact

3.2.3 **Other trees to be retained:** Tree 2 is situated in a small garden reserve on Nelson St, which is situated away from the proposed works. This tree is protected by its distance from the works and is unlikely to be affected by them.

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 **New planting:** A comprehensive new landscaping scheme is proposed including new trees to be planted on the site boundary and within available areas in prominent locations. The suggested selection of species, size and location are provisional and would not be considered final until all relevant parties had been fully consulted. The new trees should have the potential to reach a significant height without excessive inconvenience and be sustainable into the long term, significantly improving the potential of the site to contribute to local amenity and character. In the event that Tree 1 does not survive the effects of the recent lightning strike, it is proposed that it is replaced with a mature specimen of the same species in the same location.

3.3.3 **Summary of the impact on local amenity:** No trees will need to be removed due to this proposed development. However, the proposed changes may adversely affect one high category tree and one low category tree if appropriate protective measures are not taken. However, if adequate precautions to protect the retained tree is specified and implemented through the arboricultural method statement included in this report, the development proposal will have little adverse impact on the contribution of this tree to the 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 **Trunk, branch and 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. No trunk, branch or ground protection is required on this site at this time.

4.2.3 **Root zone protection:** All hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree setts. Supporting columns must not be placed on any tree roots that are exposed.

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 Tree 1 as illustrated on plan TMP01 and summarised below:

1. Removal of existing surfacing/structures and replacement with new surfacing: Tree 1 may be adversely affected by the demolition of the existing building and the excavation for the new basement. Any adverse impact must be minimised by following the guidance set out in Appendix 6. Illustrative specifications for special surfacing are included as Section 4 and 5 of Appendix 6.

2. Removal of existing surfacing/structures and replacement with new soft landscaping: Tree 1 may be adversely affected by the removal of the existing garages and its reinstatement to soft landscaping. Any adverse impact must be minimised by following the general guidance set out in Section 4 and 7 of Appendix 6.

3. 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.

4. 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.

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 runoff 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 **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 and Appendix 7
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	4.5.2 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:** These subject trees are legally protected under Waverley 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:** Tree 2 is located in the adjacent properties effectively out of the control of the owners of 194 - 214 Oxford Street, Bondi. It will not be possible to easily carry out the recommended works without the full co-operation 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*.
Standards Australia.

Barrell, J (2009) Draft for Practical Tree AZ version 9.02 A+NZ
Barrel Tree Consultancy, Bridge House, Ringwood BH24 1EX

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.

Robinson, L (1994) Field Guide to the Native Plants of Sydney
Kangaroo Press, Kenthurst NSW

8. DISCLAIMER

8.1 Limitations on use of this report:

This report is to be utilised 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.

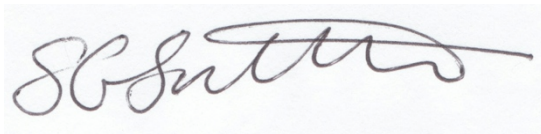
ASSUMPTIONS

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible: however, EziGrow 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



Stuart Sutton

*Grad Certificate in Arboriculture (University of Melbourne)
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APPENDIX 1

Qualifications and experience of Stuart Sutton

1. Qualifications:

Bachelor of Science in Agriculture (hons)	Sydney University	2000-2003
Masters of Science in Horticulture	Sydney University	2004
Certificate II Arboriculture	NSI of TAFE	2005
Certificate III in Horticulture	NSI of TAFE	2006
Bachelors of Business	Charles Sturt University	2008-2013
Graduate Certificate in Arboriculture	University of Melbourne	2014-2015
QTRA Registered User	User # 7392	2022
An Irreverent Look at Tree Protection on Development Sites	Mark Hartley	2023

2. **Practical experience:** Being involved in the Arboricultural and Horticultural industries for over 25 years, I have developed skills and expertise recognised in the industry. Involvement with the construction industry through many landscape construction jobs and further tertiary studies has provided me with a good knowledge of tree requirements within construction sites.

As director of EziGrow, I have been involved in a large number of arboricultural consultancy projects and have been engaged by a range of clients to undertake tree assessments and root investigations. I have also gained a wide range of practical tree knowledge as a practicing climbing arborist through tree removal and pruning works.

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.	Species	Height	Spread	DBH	TPZ	Foliage %	Age class	Defects/Comment	Location	Services	Significance	Tree AZ
1	<i>Araucaria heterophylla</i>	25	12	1000	12	80%	M	Nil	Grass	Nil	H	AA1
2	<i>Callistemon sp.</i>	8	6	300	3.6	80%	M	Nil	Garden bed	Nil	M	Z1

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 categorised into three groups, such as: High, Moderate or Low significance.

APPENDIX 3

TreeAZ Categories (Version 9.02 A+NZ)

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

Z1	Young or insignificant small trees, i.e. below the local size threshold for legal protection, etc
Z2	Too close to a building, i.e. exempt from legal protection because of proximity, etc
Z3	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

Z4	Dead, dying, diseased or declining
Z5	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
Z6	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

Z7	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
Z8	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

Z9	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
Z10	Poor condition or location with a low potential for recovery or improvement, i.e. dominated by adjacent trees or buildings, poor architectural framework, etc
Z11	Removal would benefit better adjacent trees, i.e. relieve physical interference, suppression, etc
Z12	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**

A1	No significant defects and could be retained with minimal remedial care
A2	Minor defects that could be addressed by remedial care and/or work to adjacent trees
A3	Special significance for historical, cultural, commemorative or rarity reasons that would warrant extraordinary efforts to retain for more than 10 years
A4	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/)

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

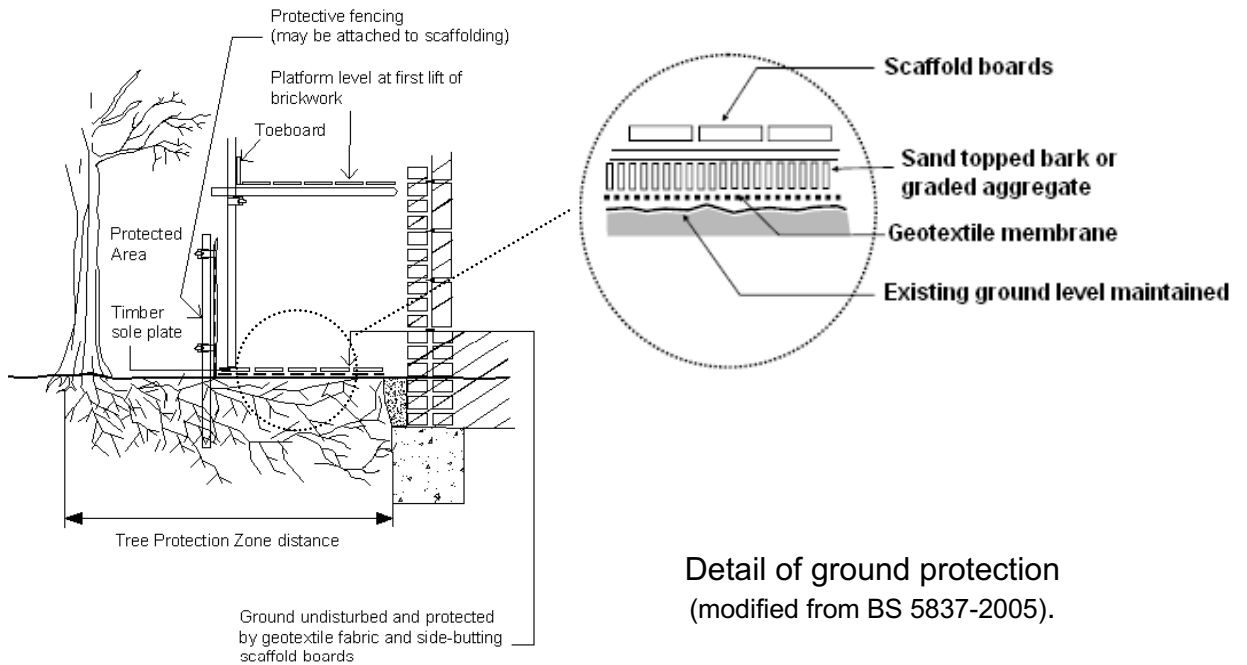
1. Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
2. Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
3. Mulch installation across surface of TPZ (at the discretion of 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.

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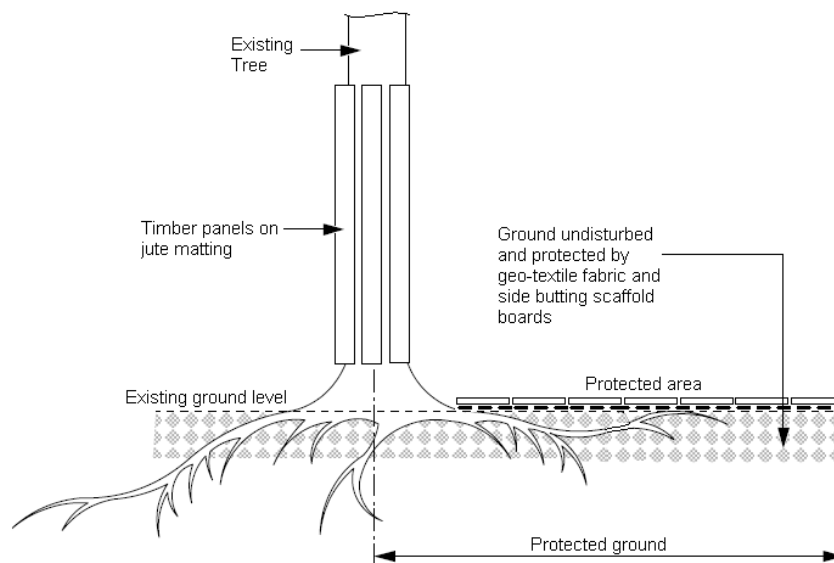
APPENDIX 5

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.



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.

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

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

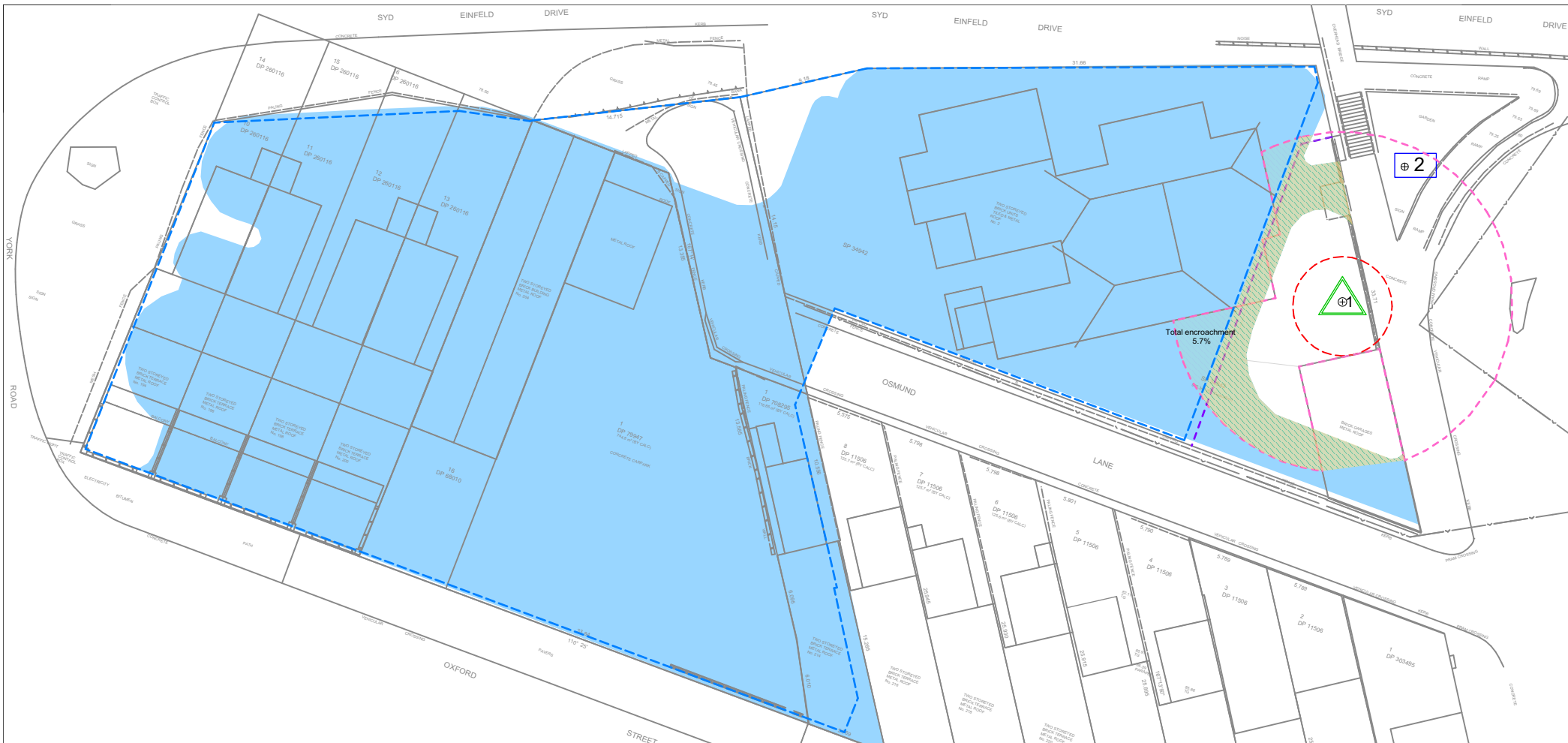
Schedule of works and responsibilities

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	Bi-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 Ezigrow dated 28 February 2025



LEGEND:

-  Category AA Trees worthy of being a constraint
-  Category A Trees worthy of being a constraint
-  Category Z Trees not worthy of being a constraint
-  Category ZZ Trees not worthy of being a constraint
-  Encroachment into TPZ
-  Area requiring special precautions
-  Existing layout
-  Proposed layout
-  Tree protection zone (TPZ)
-  Structural Root Zone (SRZ)
-  Tree protection fencing

NOTE: This drawing to be reproduced in colour only



ISSUE	DATE	REVISION	PROJECT #
PROJECT	194 - 214 Oxford Street, Bondi, NSW		EZ76
CLIENT	Westgate BJ Pty Ltd	DATE # 25/02/2025	DWG #
DWG	Tree Management Plan	SCALE @ A3 1:400	TMP01
		DRAWN SS	CHKD
			REVISION

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