

ITEM NO: 6.3.
 REPORT NUMBER: 239/21

TO: COUNCIL ASSESSMENT PANEL
 DATE: 28 JULY 2021
 SUBJECT: DEFERRED ITEM -110/00175/21 - REMOVAL OF FIVE SIGNIFICANT AND ONE REGULATED TREE
 AUTHOR: A STAMATOPOULOS – DEVELOPMENT OFFICER
 SUBJECT SITE: 28 STURT ROAD, BRIGHTON
 ATTACHMENTS: 1. LOCALITY MAP
 2. TREE LOCATION
 3. COUNCIL ARBORIST REPORT
 4. APPLICANT ARBORIST REPORT
 5. SUPPORTING LETTER BY BOTTEN LEVINSON LAWYERS

1. Abstract of Report

On the 23 June 2021, the Council Assessment Panel deferred application 110/00175/21 to gain additional information through a site visit as to the biodiversity, environmental benefits, and landscape setting, in order to better understand the context of the trees proposed to be removed. The Council Assessment Panel attended the site on Thursday, 8 July 2021. The recommendation to the Council Assessment Panel from administration remains unchanged.

2. RECOMMENDATION

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00175/21 subject to the following conditions:

PLANNING CONDITIONS

1. That the tree removal shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. The removal of the regulated tree shall be subject to the planting of two replacement trees and the removal of a significant tree in a suitable position greater than 10 metres distance from any existing dwelling or in-ground swimming pool. The replacement trees must be indigenous to the local area, not be an exempt species listed under regulation 6A clause (5)(b) of the Development Regulations 2008, or a tree belonging to a class of plant declared by the Minister under Chapter 8 Part 1 of the Natural Resources Management Act 2004. The trees shall be planted within three months of the substantial removal of the regulated/ significant tree and shall be maintained in good condition at all times and replaced if necessary.

Or payment of \$96.00 per tree not planted as a replacement is payable within one month of the tree removal being undertaken.

Note: Council shall be given at least one (1) business days notice prior to the commencement of tree removal works on site.