



**CITY OF  
PARRAMATTA**

Dr Sheridan Coakes  
Panel Chair  
Independent Planning Commission NSW  
Suite 145.02, Lvl 15, 135 King Street  
SYDNEY NSW 2000

Attention: Kendall Clydesdale, Principal Case Officer

23 July 2025

Dear Madam Chair,

**City of Parramatta Council submission to Independent Planning Commission  
Re: Amending Detailed Design & Amending Concept State Significant Development  
Applications, 242-244 Beecroft Road Epping (SSD-68939460 & SSD-68708456)**

I refer to the above applications and the invitation from Independent Planning Commission (IPC) to provide a submission on the application.

Council appreciates the opportunity to directly address the IPC on 18 July 2025, and to reiterate our objection to the increase in density in the amending concept and detailed applications as it will lead to levels of car parking that will result in unacceptable traffic generation.

Council respectfully requests that in the event that the IPC approve the amending concept and detailed applications, that the draft conditions (B9 and B34) be amended to reflect the car parking rates for Category 1 areas within the Transport for NSW's *Guide to Transport Impact Assessment (2024)*.

Council's detailed submission is provided in **Attachment A**. The submission attached reiterates comments made to the Department, with additional information to address questions raised by the IPC. Please note this response has been prepared by Council staff and has not been endorsed by Council.

Council appreciates the opportunity to comment on the above applications. Should you wish to discuss the matters raised, please feel free to contact me on [REDACTED]  
[REDACTED]

Regards



**Myfanwy McNally**  
Manager, City Significant Development

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## **Attachment A: Detailed Submission**

Council Officers submission is detailed below includes:

- 1) Adverse traffic generation and traffic impacts from excessive residential car parking rates;
- 2) Appropriate Parking rates correct application of residential car parking requirements; and
- 3) Council provides comments on the Draft Conditions of consent.

### **1. Traffic Generation**

#### **Traffic Impacts**

Council Officers have reviewed the Traffic Letter (JMT Consulting, 30 April 2025) and Independent Review letter (Turner Traffic 15 November 2024).

It is noted that the applicant is now calculating the Trip Generation based on parking supply and has updated the modelling. With regards to the revised modelling for Ray Road and Carlingford Road, while the overall performance of the intersection is showing a Loss of Service D for the AM peak and Loss of Service E for the PM peak, importantly, both the Ray Road and Rawson Street legs consistently show Loss of Service F for key movements.

The intersections of Rawson Street, Ray Road and Carlingford Road, as well as Carlingford Road and Beecroft Road experience high levels of congestion. At the Rawson Street and Ray Road intersection, there is not dedicated right turn phase for both roads meaning right turning traffic in Rawson Street must give way to traffic in Ray Road. Furthermore, there is limited storage space in Carlingford Road leading up to Beecroft Road meaning. As a result of this, Council has observed significant delays and long queues in Rawson Street which is a cause of community frustration. Any increase in traffic movements in Ray Road will have impact on the performance and safe operation of this intersection and further increase the delays.

Accordingly, Council's position is that due to the significant congestion in the surrounding road network and particularly in Rawson Street (where traffic studies have demonstrated consistently, as well as by on-site observations) that any additional traffic generation in Ray Road cannot be supported due to the significant capacity impact it will have on the right turn movements in Rawson Street.

Council considers the resultant traffic impacts of the additional density (and excessive parking) is required to be considered as part of a merit assessment of the Clause 4.15(b) and (e) of the Environmental Assessment Act 1979 assessment.

#### **Traffic improvements**

The IPC on 18 July 2025 enquired with Council Officers if any proposed traffic improvement works would assist in the impacts of the development. Traffic solutions are currently on public exhibition as part of the Draft Epping Town Centre Masterplan, and detailed below. The traffic solutions being considered as at the beginning of the investigation process and would require significant support and funding.

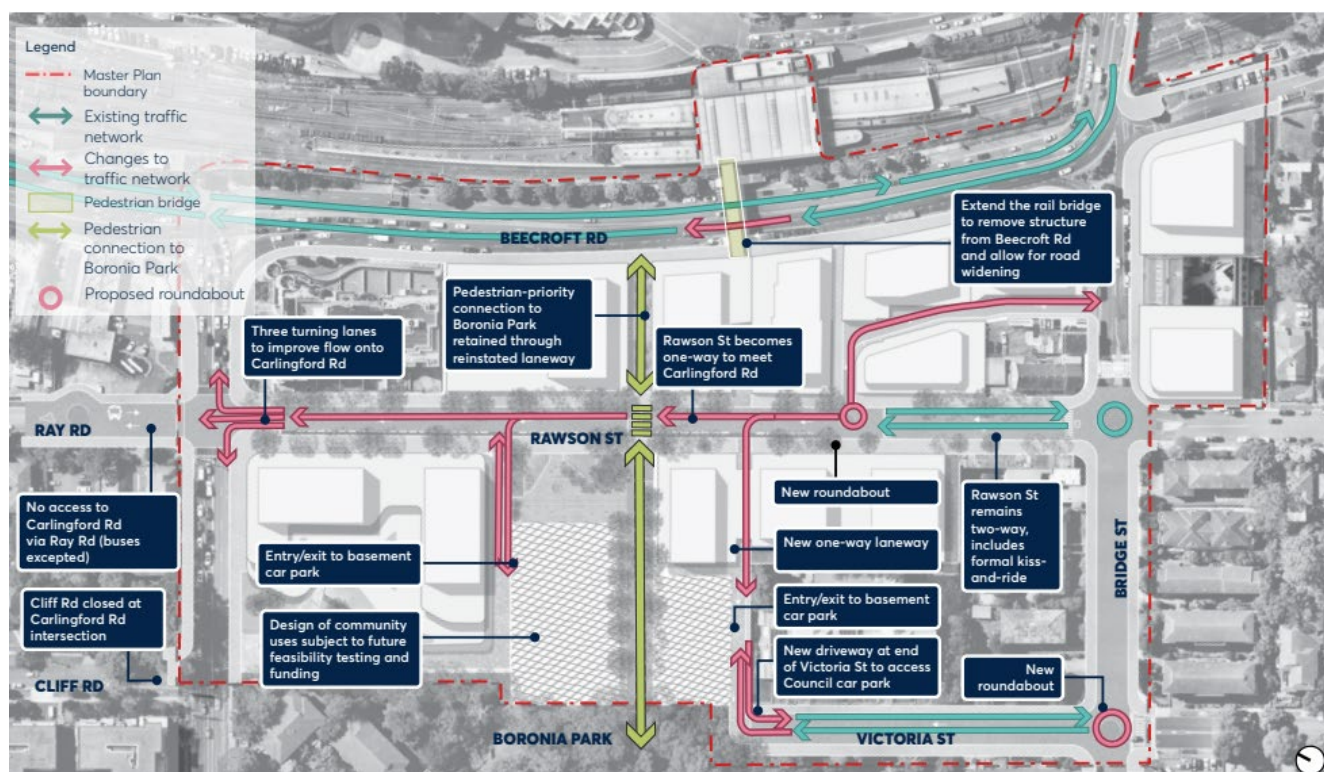
At the Council meeting held on 14 July 2025, Council resolved to approve a draft masterplan for the Epping Town Centre for the purpose of public exhibition. The draft masterplan aims to improve the traffic flow within Epping, particularly in Rawson Street, through the following measures:

1. Partial closure of Ray Road at Carlingford Road by removing access out of Ray Road at the intersection. This change will assist right turn movements from Rawson Street into Carlingford Road. This change will also require the signalisation of Carlingford Road and Kent Street which would be used by impacted residents in Ray Road to access Carlingford Road.
2. Changes to Rawson Street by introducing a partial one-way restriction which will allow for additional travel lanes at the intersection with Carlingford Road.
3. Construction of a new laneway linking Victoria Street to Rawson Street which will provide an alternative access to the Council carpark, and will allow better vehicle circulation and reduce the amount of traffic travelling to the Rawson Street and Carlingford Road intersection.
4. Construction of a new pedestrian bridge in Beecroft Road which will replace the existing bridge. This will require negotiation with Sydney Trains and the private landowner which Council would help facilitate. The proposal will improve traffic flow from Epping Road through to Carlingford Road by allowing for an additional travel lane.

**Figure 1** below summarises the proposed traffic solutions by Council.

Council is currently in the very early days of working through the above solutions, which will need community consultation and further traffic assessments including network modelling. Furthermore, the measures will require approval from TfNSW, as well as significant funding.

It is Council view that any improvements to the local traffic network, must be coupled with maintaining lower levels of car parking in new high density residential development in order to improve traffic flow within Epping.



**Figure 1:** Proposed traffic solutions, Draft Epping Town Centre Masterplan 2025 (Source: <https://www.cityofparramatta.nsw.gov.au/about-parramatta/news/on-exhibition/epping-town-centre-master-plan>)

## 2. Parking

### Car parking rates

Council considers that the subject applications should provide a lower rate of residential car parking in line with Table 8.4 rates per dwellings for high density development of the *Transport for NSW (TfNSW) Guide to Transport Impact Assessment (2024)* which are consistent with Council's Development Control Plan (PDCP) 2023 rates for Epping Town Centre, as opposed to the SEPP (Housing) 2021 rates for infill affordable housing. As applied to the development, this is estimated to be 474 residential car parking spaces as per SEPP Housing versus 381 residential car parking space based on TfNSW rates.

Council's merit-based arguments for this are detailed in our previous submission and summarised as follows:

- **The existing public transport available in Epping is of a high order.** The site is within 400 metres of fast and frequent public transport services, buses, Metro and heavy rail. As a result, it is considered that the area can support residents only relying on public transport and encourage a lower car mode share.

- **Transport for NSW rates for high density residential developments contained in the Guide to Transport Impact Assessment (2024) recognise Epping as a Category 1 area** – that are areas within 15 min walk of a strategic centre and have high alternative transport options. It is the intent of this policy (and other supporting NSW Government strategic documents) to limit car parking in areas such as this site.
- **The excessive parking proposed by the applicant cannot be supported as this will have an adverse impact on traffic within the surrounding area.** It should be noted that traffic congestion in the area is not limited to the standard commuter peak times as there is significant congestion during weekends. Applying the TfNSW or PDGP 2023 rates would result in a much lower rate with many dwellings not being allocated any parking spaces. As such, residents of those dwelling would be forced to rely on alternative transport options and therefore, this would lead to a lower traffic generation rate.
- **There is significant growth proposed and occurring in Epping and the traffic congestion now and in the future have a direct effect on Epping.**
- Council has undertaken Traffic Study's for Epping in 2018 which indicates that **applying lower car parking rates to development within easy walking distance of the railway, bus and Metro services together with traffic improvements help address worsening traffic conditions.** The Study's model showed that even with traffic improvements implemented, traffic will still deteriorate over time.
- **The approval of this application may undermine the development controls applicable within the precinct and may set a precedent that other applications used to justify excessive parking in strategic centres,** such as Epping or Parramatta CBD. This in turn, will have significant traffic generation impacts of developments which far exceeds what the planning of the centres allowed for.

#### Application of residential car parking rates

The applicant has sought legal advice from Corrs Chambers Westgarth (CCW). CCW make the conclusion that section 4.15(2)(a) of the EP&A Act restricts the consent authority taking non-discretionary standards into further consideration after accepting that the proposed parking rates complies with Section 19 of the SEPP (Housing) 2021. Further, CCW claim that the rates in the LEP or DCP are not relevant where non-discretionary rates are defined in the SEPP.

Council Officers consider that the CCW advice neglects to consider each of the considerations under Section 4.15(2)(b) and (c) of the EP&A Act in interpreting how non-discretionary standards of the SEPP can be applied by a consent authority. The relevant section of the Act states as follows:

- The consent authority – *must not refuse the application on the ground that the development does not comply with those standard; and*
- The consent authority - *“must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards”*

In addressing the above in the context of this application, **the Act allows the consent authority to approve the development for additional affordable and non-affordable housing with a reduced parking rate and also allows for a consent authority to impose condition requiring a less onerous amount of parking that has the substantially same effect as the standard.**

Clause 19 of the SEPP technically would allow for an unlimited amount of carparking, despite the adverse impact of doing so. Council would argue that is not the intention of Clause 19 of the SEPP to facilitate more car parking, rather the intention of the minimums is to prevent consent authorities from insisting on development's providing excessive car parking, i.e. more onerous car parking rates. Furthermore Clause 19 of the SEPP includes a note that states "*see the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.*" The Act anticipates a circumstance where a merit-based assessment might require parking below the minimums. Therefore, Council considers that the consent authority has the flexibility to approve the application which will deliver more units, with a reduced car parking rate.

Section 4.15(3) states that if the SEPP contains non-discretionary development standards and the development does not comply with those standards allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

In the context of the SEPP, a more onerous conditions would be to require the applicant to provide more parking that would exceed the minimum required by the SEPP. Council considers the provision of additional parking more onerous for the following reasons:

- Requiring more parking would increase the cost of the development, making the development (including the affordable housing) less affordable;
- Requiring more parking requires more land area for basement; and
- More parking results in more adverse impacts, including increased traffic generation.

A recent court case Council *Pirasta v Parramatta City Council* at 44-48 Oxford St Epping (which was in Council's favour) in relation to requiring more parking spaces than what the maximum's in Council's PDGP 2023. Council Officers believe this case makes the point that the purpose of non-discretionary standards is to "Prevent the consent authority from requiring more onerous standards for the matter" (refer Cl 19 of SEPP Housing). Therefore we consider that the non-discretionary development standards stop the consent authority from requiring more parking, however it does not stop the consent authority from enforcing a maximum.

As the Commissioner stated:

*In regard to the first point, I agree with the submissions of Mr Seton that the RMS Guide and the particulars relating SEPP 65 to parking are concerned with ensuring there is not an undersupply of parking in development projects. The tenor (and words at cl 30(1)(a) of SEPP 65) are concerned with "minimum amount of car parking supplied". The intent of the policy change contained in the DCP in May 2019 is in an entirely different direction. It is concerned with limiting parking in areas like the site which are close to the public transport hub at Epping to encourage its use over private cars. There is no inconsistency of concern here, and the "cannot be used as grounds to refuse" test of cl 30 of SEPP 65 does not apply.*

We acknowledge that Council's DCP is not a relevant consideration in this SSD Application assessment (as relevant in the Court case), nevertheless DPHI has the discretion to undertake a merit-based assessment. Furthermore, the SEPP Housing requires assessment of the scheme against the Apartment Design Guide, which in relation to car parking refers to the car parking rates in *TfNSW Traffic Guide to Transport Impact Assessment*. It is noted that Epping is a Category 1 area. The Guide proposes lower rates than the CI 19 of the SEPP.

Given the above, Council's position remains unchanged and that in the event that this application be approved, conditions should be imposed to ensure that the maximum number of parking spaces are in line with the TfNSW / PDCP 2023 rates.

### 3. Draft Conditions of Consent

In the event the applications are approved, Council requests the following amendments or draft conditions to be included on the consent. **Table 1** details the concept application conditions and **Table 2** outlines the detailed application conditions recommended by Council.

It is noted the proposed Landscape conditions respond Council's previous concerns raised with DPHI and aim to:

- Ensure Landscape Plans are update to reflect compliant soil volumes in accordance with Apartment Design Guide; and
- Ensure planting considers the proposed location of services, building clearances and appropriate species types and spacing to ensure planting survives.

The proposed tree protection conditions:

- Relate to the protection of trees (2) which are within Council's public domain and within the site (1) tree; and
- Ensure new trees planted will thrive.

**Table 1:** Recommended Conditions of Consent – Amending Concept Application

Condition reference	Proposed Amendment / Condition
B9. Car Parking and Bicycle Parking	Replace subsection (a) and (b) with the following:  (a) The allocation of residential car parking for both market and affordable housing apartments in accordance with the following rates: i. 0.4 spaces per studio or 1 bedroom apartment ii. 0.7 spaces per 2 bedroom apartment iii. 1.2 space per 3 or more bedroom apartment iv. 1 space per 7 apartments for visitor spaces
B11 and B12 – Developer Contributions –	In relation to modification application (reference: SSD-68708456) a monetary contribution comprising \$848,368.44 is payable to City of Parramatta Council in accordance with Section 7.11 of the Environmental Planning and

Condition reference	Proposed Amendment / Condition																
Local Contributions	<p>Assessment Act 1979 and the City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. Payment must be made by direct bank transfer or credit/debit card only. Payment can be made by contacting Council's Customer Contact Centre on 1300 617 058.</p> <p>Payments comprise of the following:</p> <table border="1" data-bbox="493 685 1262 1052"> <thead> <tr> <th>Contribution Type</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Open space and outdoor recreation</td><td>\$ 552,479.59</td></tr> <tr> <td>Indoor sports courts</td><td>\$ 50,354.90</td></tr> <tr> <td>Community facilities</td><td>\$ 66,227.44</td></tr> <tr> <td>Aquatic facilities</td><td>\$ 15,434.80</td></tr> <tr> <td>Traffic and transport</td><td>\$ 155,771.50</td></tr> <tr> <td>Plan administration</td><td>\$ 8,100.21</td></tr> <tr> <td><b>Total</b></td><td><b>\$848,368.44</b></td></tr> </tbody> </table> <p><u>Timing of payment</u></p> <p>A separate contribution is to be paid to Council prior to the first construction certificate relating to this modification application (SSD-68708456). Deferred payments of contributions will not be accepted, and requests for payment by multiple instalments will not be granted.</p> <p>The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation. Therefore, please visit 'Live Contributions Fees' Register on the Council's Development Contributions webpage to confirm the amount payable prior to making payment.</p> <p>The City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. can be viewed on Council's website at:  <a href="https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions">https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions</a></p>	Contribution Type	Amount	Open space and outdoor recreation	\$ 552,479.59	Indoor sports courts	\$ 50,354.90	Community facilities	\$ 66,227.44	Aquatic facilities	\$ 15,434.80	Traffic and transport	\$ 155,771.50	Plan administration	\$ 8,100.21	<b>Total</b>	<b>\$848,368.44</b>
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**Table 2.** Recommended Conditions of Consent – Amending Detailed Application

Condition reference	Proposed Condition
B34 Car and Motorcycle Parking	<p>Replace subsection (a) (i) and (ii) with the following:</p> <p>(a) On site car parking spaces provided as follows:</p> <ol style="list-style-type: none"> <li>381 residential spaces</li> <li>69 visitors spaces</li> </ol>
C23 CPTMP	<p>Request additional words (<b>in bold</b>):</p> <p>Prior to the commencement of any earthwork or construction, the Applicant must submit to the satisfaction of the Certifier a final Construction Pedestrian and Traffic Management Plan Sub-Plan (CPTMP), prepared in consultation with the Sydney Coordination Office within TfNSW <b>and Council</b>.</p>
New Traffic conditions	<p>A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials. <b>Reason:</b> To comply with Australian Standards and ensure pedestrian safety.</p> <p>Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (<a href="http://www.nhvr.gov.au/about-us/nhvr-portal">www.nhvr.gov.au/about-us/nhvr-portal</a>), prior to driving through local roads within the City of Parramatta LGA. <b>Reason:</b> To ensure maintenance of Council's assets.</p>
New Landscape Condition	<p>Plans and documents submitted must include the following changes with an application for a Construction Certificate:</p> <ol style="list-style-type: none"> <li>Construction details are to be provided by a suitably qualified Structural Engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens.</li> <li>All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.</li> <li>Any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect.</li> <li>Soil volume, depth and soil area must meet the following prescribed standards in the Apartment Design Guide (ADG) – Part 4, 4P <i>Planting on Structures - Tools for improving the design of residential apartment development</i> (NSW Department of Planning and Environment, 2015): <ul style="list-style-type: none"> <li>Typical tree planting on structure detail to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)</li> <li>Typical shrub planting on structure detail to show minimum 500-600mm soil depth,</li> </ul> </li> </ol>

Condition reference	Proposed Condition
	<ul style="list-style-type: none"> <li>• Typical turf planting on structure to show minimum 200-300mm soil depth.</li> <li>e. Tree planting densities shall not exceed the prescribed soil volume.</li> <li>f. Sections through the planters supporting the trees and shrubs over the basement, OSD and on podium level are required to show the above requirements.</li> <li>g. A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)</li> <li>h. A soil specification ('Fit-for-purpose' performance description) for imported soil types to ensure sufficient nutrient and water availability is achieved.</li> <li>i. An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.</li> </ul> <p><b>Reason:</b> To ensure the creation of functional gardens.</p>
New Landscape Condition	<p>The final Landscape Plan must be consistent with plans prepared by Site Image SS21-4819 dated 31.10.2024 together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:</p> <ul style="list-style-type: none"> <li>(a) The location of all proposed underground services and pits to be shown to be coordinated with all relevant engineering plans.</li> <li>(b) Existing trees (T8, T32 &amp; T34) shall be shown and numbered as per the Arboricultural Impact Assessment Report by RainTree Consulting ref 8322 dated 13.07.2022 and are to include the TPZ and SRZ radiuses for coordination.</li> <li>(c) Delete all the proposed planting within the Structural Root Zone (SRZ) of the trees to be retained to avoid severing the roots.</li> <li>(d) Delete the proposed edging within the Structural Root Zone (SRZ) of the trees to be retained to avoid severing the roots.</li> <li>(e) Provide a typical detail showing both the shrub planting within the Tree Protection Zone (TPZ) of existing trees to show minimal excavation, cultivation and compaction and to ensure the root system will be adequately retained and protected.</li> <li>(f) All non-destructive construction details within the TPZ of the trees to be retained and protected are to be prepared in conjunction with the Project arborist to ensure the trees will be adequately protected during the works.</li> <li>(g) Most of the trees are shown too close to the adjacent path edge, wall / infrastructure in general - Council does not support rootballs being "cut to fit". Relocate all trees a minimum 1.2m away from the edge of all paths, seating, walls, fencing (infrastructure in general) to provide adequate pedestrian / canopy / clearance and to ensure the rootballs will not be 'cut to fit' the space.</li> <li>(h) Some of the tree planting locations are too close to the building façade and will cause conflict and maintenance issues in the future. Trees are to be relocated at minimum distance of three (3) metres from any building facade to ensure sufficient building clearances are achieved.</li> <li>(i) In addition, the tree planting locations have not considered the civil stormwater plans and are to be relocated to avoid conflict. Trees are to be</li> </ul>

Condition reference	Proposed Condition																
	<p>relocated a minimum distance of two (2) metres from any drainage line, OSD and stormwater pit to avoid any infrastructure conflicts.</p> <p>(j) Separately many of the trees are also located too close to each other and in time will cause the trees to become suppressed and cause maintenance issues. Adjust the tree spacings as per the below requirements:</p> <ul style="list-style-type: none"><li>➤ All small trees (5m-9m mature height) are to be re-spaced minimum 3.5-4m+ apart to ensure they will have adequate space to grow.</li><li>➤ All medium trees (10-14m in height) are to be spaced minimum 5-6m+ apart.</li><li>➤ All large trees (15m+ in height) are to be spaced minimum 8-12m+ apart.</li></ul> <p>(k) There are several large tree species (15m+) shown in small planters with insufficient soil volumes to sustain their long-term growth that will struggle to survive. For example, there are 2 x <i>Angophora costata</i> (Ac) 20m+ trees in a small 27m<sup>3</sup> planter which is inadequate for the size of these trees. Best practice shows the required soil volumes below for the trees and landscaped areas:</p> <table><tr><th>Tree Size</th><th>Average Crown Spread</th><th>Crown Protection</th><th>Min. Soil Volume Required (per tree)</th></tr><tr><td>Small (5-10m high)</td><td>5m</td><td>19.5m<sup>2</sup></td><td>9.</td></tr><tr><td>Medium (10-15m high)</td><td>8m</td><td>50.0m<sup>2</sup></td><td>23.</td></tr><tr><td>Large (15-20m high)</td><td>16m</td><td>200m<sup>2</sup></td><td>95.</td></tr></table> <p>(l) Where planter sizes and soil volumes are insufficient for the proposed tree planting (at ground level and on the podium roof terraces), the larger tree species must be replaced with a smaller species suited to the size of the planter and soil volumes available. And/or increase the size of planter. And/or increase the available soil volume below the paving using modular cells for example to increase the extent of the soil zones.</p> <p>(m) All proposed softscape details to be provided.</p> <p>(n) Details for all proposed hardscape structures to be provided.</p> <p>(o) Trees should be self-supporting from the nursery. Delete the tree stake from the typical tree detail unless trees are to be planted into a wind-prone area.</p> <p>(p) Provide details on the water feature to the Beecroft Road front setback. Increase the width of the planting area to the western side of the water feature to avoid pinch points. Minimum planter width to be 300mm wide to ensure the plants will thrive in this locality.</p> <p>(q) Update the proposed plant schedule indicating the above changes, planting locations, species type (including both botanic / common name) mature dimensions, plant numbers and the size of the containers at planting.</p> <p><b>Reason:</b> To ensure restoration of environmental amenity.</p>	Tree Size	Average Crown Spread	Crown Protection	Min. Soil Volume Required (per tree)	Small (5-10m high)	5m	19.5m <sup>2</sup>	9.	Medium (10-15m high)	8m	50.0m <sup>2</sup>	23.	Large (15-20m high)	16m	200m <sup>2</sup>	95.
Tree Size	Average Crown Spread	Crown Protection	Min. Soil Volume Required (per tree)														
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Large (15-20m high)	16m	200m <sup>2</sup>	95.														
New Landscape Condition	<p>All landscape works shall be maintained and watered for a minimum period of one (1) year following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions</p> <p><b>Reason:</b> To ensure restoration of environmental amenity.</p>																

Condition reference	Proposed Condition																		
New Tree Conditions	Trees to be retained are:																		
	Tree No.	Name	Common Name	Location	Tree Protection Zone (m)														
	8	<i>Eucalyptus microcorys</i>	Tallowwood	Southern side setback within an existing raised planter	9.6m														
	32	<i>Syncarpia glomulifera</i>	Turpentine	Devlins Creek	8.4m														
	34	<i>Cinnamomum camphora</i>	Camphor Laurel	Devlins Creek	8.4m														
	<b>Reason:</b> To protect significant trees which contribute to the landscape character of the area.																		
Prior to the issue of the Construction Certificate, all structures listed below which are documented within the Notional Root Zone (NRZ) of the following trees are to be modified to minimise the cumulative construction impacts within the NRZ to ensure they are less than 10% encroachment as per the AS4970-2025: <i>Protection of trees on development sites</i> . They are to be designed in conjunction with, and with written approval of, the Project Arborist.																			
<table><tr><th>Tree No.</th><th>Botanical name</th><th>Common name</th><th>Structure to be modified</th><th>NRZ Radius from trunk</th></tr><tr><td>32</td><td><i>Syncarpia glomulifera</i></td><td>Turpentine</td><td>Footpath</td><td>8.4m</td></tr><tr><td>34</td><td><i>Cinnamomum camphora</i></td><td>Camphor Laurel</td><td>Swale &amp; services</td><td>8.4m</td></tr></table>					Tree No.	Botanical name	Common name	Structure to be modified	NRZ Radius from trunk	32	<i>Syncarpia glomulifera</i>	Turpentine	Footpath	8.4m	34	<i>Cinnamomum camphora</i>	Camphor Laurel	Swale & services	8.4m
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<p>(a) The underground services approved to be installed within the TPZ of trees 32 and 34 must be installed using non-destructive construction techniques (NDC) such as hydro-vac on the lowest setting, or careful hand-dig to create the trench and retain all roots &gt;30mm in diameter. Pipes are to be threaded through the major roots. No roots over 30mm diameter are to be cut. All relevant infrastructure plans are to be modified to clearly show the location of the NDC and the specific methodology included in the construction documentation. It is to be pre- approved in writing by the Project Arborist and provided to the Certifying Authority.</p> <p>(b) Where a swale and/or overland flow path has been approved within the NRZ of trees 32 and 34, the Civil detail must show it will be formed above the existing grade using only imported soil. A specific non-destructive construction detail showing the location and detail of this modified swale and must be designed in conjunction with and to the written satisfaction of the Project Arborist to ensure it will not impact the tree root system.</p> <p>(c) A footpath construction detail must be included in the construction documentation showing the location of the subject path and demonstrate how it will be built above the natural grade to bridge over the root system</p>																			

Condition reference	Proposed Condition
	<p>of tree 32. The modified path design must show the sub-base and all formwork will be built above the existing grade to avoid excavation within the NRZ. The detail shall state there is to be no compaction, edging, excavation, or re-grading to occur within the natural ground to ensure the tree roots will be adequately retained and protected. The construction detail is to be designed in conjunction with and to the written satisfaction of the Project Arborist to ensure the path design has been satisfactorily modified to not impact the tree root system.</p> <p><b>Reason:</b> To ensure any works within the Notional Root Zone (NRZ) / Tree Protection Zone (TPZ) of the existing trees have been modified to ensure the trees will be adequately protected.</p>
	<p>A Tree Protection Plan (TPP), prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This TPP is to identify the specific tree protection measures to be implemented for the trees located within the site and adjacent to the site during demolition and construction and the expected future health of the trees. It will cover all stages of the works and any works to be supervised by the Project Arborist including:</p> <ul style="list-style-type: none"> <li>(a) A Tree Protection Plan must follow the tree numbers already identified in the existing Arboricultural Impact Assessment by RainTree Consulting 8322 dated 13.07.2022.</li> <li>(b) Provide details of any encroachment into the root system and/or canopy on the plan;</li> <li>(c) The TPP must identify the location and the specific tree protection type required for each tree inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2025 - Protection of trees on development sites.</li> <li>(d) The TPP must discuss the specific non-destructive construction method of approved works within the TPZ(S) of trees numbered 8, 32, 34 to minimise the impact and encroachment and discuss the specific protection measures required throughout the demolition and construction works.</li> <li>(e) Discuss supervision of any approved excavation and/or works to be undertaken within the calculated Tree Protection Zones of the trees to be retained and protected.</li> <li>(f) Provide guidance on the approved services to be installed within the TPZ of trees, to ensure non-destructive construction techniques are used to minimise the construction impact (i.e. bridging of roots);</li> <li>(g) Provide guidance on the approved landscaping (i.e. minimise cultivation, excavation planting techniques within the TPZ. No planting or structures to occur within the SRZ);</li> <li>(h) Construction of any structure which requires a modified footing or that is to be built above grade;</li> <li>(i) Where works are to impact the tree canopies, a tree pruning diagram will be required to ensure the level of encroachment into the canopies will be minimised.</li> <li>(j) Where retained trees have a development setback and tree protection zone established, a recommended Tree Protection Specification and diagram should be provided in accordance with AS 4970-2025 Protection of trees on development sites.</li> </ul>

Condition reference	Proposed Condition
	<p>(k) Identify hold points at key stages in the construction works;</p> <p>(l) Regular Periodic Tree Inspections are required to be carried out by the Project Arborist supervising the works. Photographic evidence and statement demonstrating the works have been undertaken in compliance with the above requirements, AS4970:2025 and the Conditions of Consent.</p> <p>(m) Any other stages that the Project Arborist deems necessary.</p> <p><b>Reason:</b> To ensure adequate protection of existing trees.</p> <p>The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment by RainTree Consulting 8322 dated 13.07.2022 and the Tree Protection Plan as per the conditions of consent.</p> <p><b>Reason:</b> To ensure the protection of the trees to be retained on the site.</p> <p>Tree protection measures are to be installed as per the Arborist revised Tree Protection Plan and as per the Conditions of Consent. They are to be installed prior to works commencing on site and are to be maintained throughout the demolition and construction works, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist in accordance with AS4970-2025 - Protection of trees on development sites. The tree protection measures are to be certified by the Project Arborist before any work commences on site and periodically checked and certified by the Project Arborist throughout the construction phase to ensure they are maintained in place.</p> <p><b>Reason:</b> To ensure trees are adequately protected throughout the construction phase.</p> <p>The Project Arborist (AQF Level 5) shall undertake a site inspection before works commence on site to certify that the protection measures have been carried out in accordance with the approved plans and specifications for tree protection for the site. Certification shall include a statement on the condition of the retained trees, details of any deviation from the tree protection plan and any impacts this may have upon the retained trees. Copies of the tree protection, along with date stamped photographic evidence, shall form part of the certification and the final tree protection report.</p> <p><b>Reason:</b> To ensure adequate protection of trees have been adhered to prior to works commencing on site.</p>
Tree Condition	<p>No materials (including waste and soil), equipment or goods of any type are to be stored, kept or placed within the Tree Protection Zone (TPZ) of trees to be retained and protected, at any time. This is a No Access Zone. The following activities are <u>prohibited</u> within the specified Tree Protection Zones:-</p> <ul style="list-style-type: none"> <li>• All activities involving soil level changes and soil disturbance; (such as re-grading, excavation, compaction and any additional fill material)</li> <li>• All types of cleaning activities;</li> <li>• Refuelling;</li> <li>• Trenching;</li> <li>• Ripping or cultivation of soil;</li> <li>• Mechanical removal of vegetation;</li> </ul>

Condition reference	Proposed Condition
	<ul style="list-style-type: none"> <li>• Access and storage of plant, equipment &amp; vehicles;</li> <li>• Erection of site sheds;</li> <li>• Cleaning</li> <li>• Disposal of waste materials and chemicals including paint, solvents, cement slurry, fuel, oil and other toxic liquids;</li> <li>• And any other activity likely to cause damage to the tree.</li> </ul> <p><b>Reason:</b> To ensure the protection of the trees to be retained on the site and adjacent to the site.</p> <p>All trees supplied above a 100L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.</p> <p><b>Reason:</b> To minimise plant failure rate and ensure quality of stock utilised.</p> <p>All trees planted within the site must be of an adequate root volume and maturity so as not to require staking or mechanical support unless in a wind-prone area. Planting must be carried out in accordance with the approved Landscape Plan and conditions of consent.</p> <p><b>Reason:</b> To ensure the trees planted within the site are able to reach their required potential.</p> <p>All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and undertaken in accordance with the Code of Practice for Amenity Tree Industry 1998.</p> <p><b>Reason:</b> To ensure tree works are carried out safely.</p>
	<p>The Project Arborist (AQF Level 5) shall undertake a final tree inspection to certify that the completed works within the TPZ and tree protection measures have been carried out in accordance with the approved plans and specifications for tree protection for the site. Certification shall include a statement on the condition of the retained trees, details of any deviation from the tree protection plan and any impacts this may have upon the retained trees. Copies of the tree protection and monitoring documentation recorded throughout the entire development works, shall form part of the final tree protection report and certification. The report shall be submitted to the written satisfaction of the certifying authority.</p> <p><b>Reason:</b> To ensure trees/vegetation has been adequately protected.</p>