

Deputy Secretary, Greater Sydney Place and Infrastructure
NSW Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

**SUBMISSION ON PROPOSED AMENDMENT OF STATE ENVIRONMENTAL PLANNING
POLICY (PENRITH LAKES) 1989**

1. INTRODUCTION

We act as town planning consultants and represent Great River NSW Pty Ltd who own the property located at 14-278 Old Castlereagh Road, Penrith, legally known as Lot 308, 309 and 310 of DP 752021 (“the site”). The site is located in the south-east corner of the Penrith Lakes Scheme area (site location is shown in Figure 1). The property is in private ownership having been divested by Penrith Lakes Development Corporation (PLDC) in 2019.

We have been instructed to make a submission on behalf of our client in relation to the proposed amendment of the *State Environmental Planning Policy (Penrith Lakes) 1989* (“Penrith Lakes SEPP”).

In general, our client supports the amendment to the Penrith Lakes SEPP, however has some concerns on certain aspects of the proposed amendment which are fully outlined in this submission.

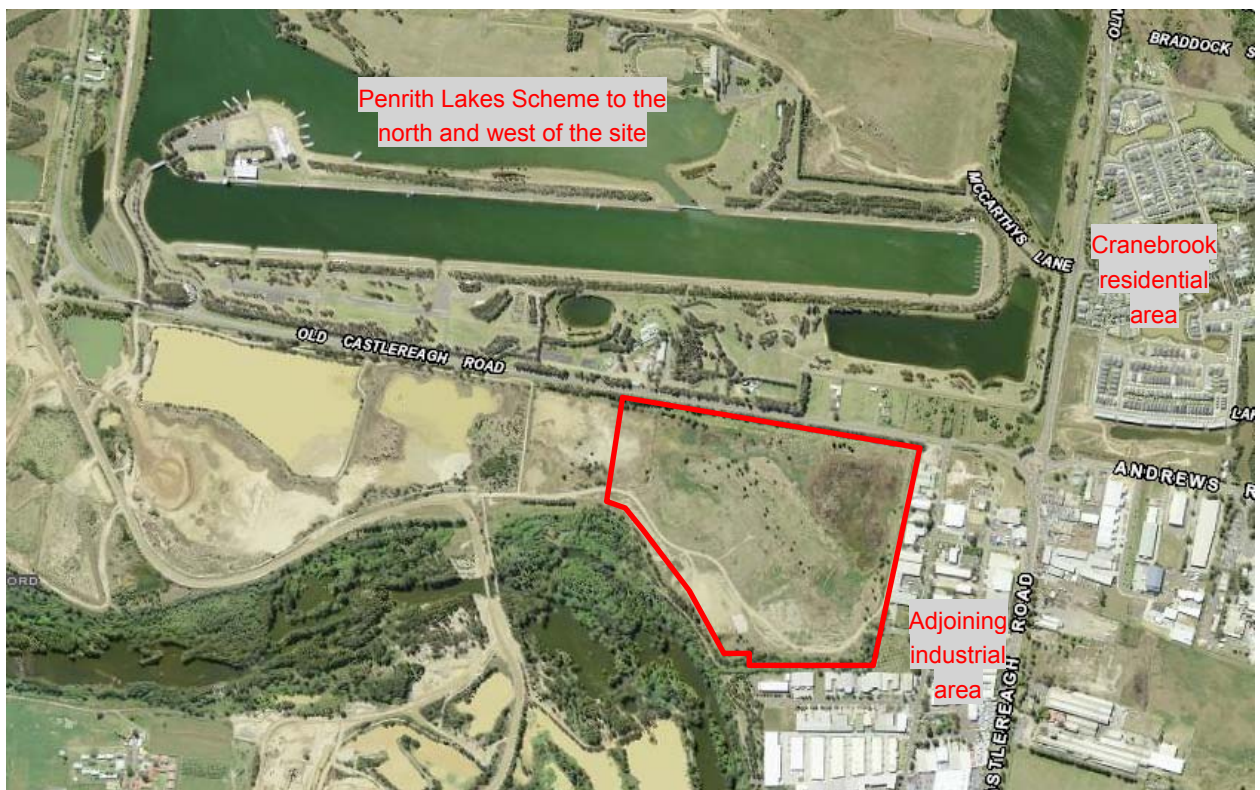


Figure 1 Aerial image indicating location of the site (outlined in red)



2. SUBMISSION OF ISSUES

We have reviewed the proposed amendments to the Penrith Lakes SEPP which have been outlined in the “Consultation Paper” exhibited by the Department of Planning, Industry & Environment (DPIE).

A response to the proposed amendments is provided below.

Rezoning to Employment Zone

The proposed rezoning of the Employment zone to extend the boundaries to the north, east, southeast and southwest of the existing zone is fully supported.

The periphery of the Employment zone is currently “unzoned”, and therefore the intended future use of this land is currently undefined and uncertain. The 2017 amendment to the Penrith Lakes SEPP introduced land use zones in order to allow for 80HA of waterways, 110HA of parklands, 118HA of environmental area, 33HA of employment area and 52HA of tourism area. In the present situation, only an estimated 28.4HA of employment land can be provided given the unzoned portion of land to the periphery of the Employment zone, combined with the fact that the area of employment zoned land located directly to the west of the subject site will not be developed as employment land as it is the location of a proposed detention basin to be implemented by PLDC (as illustrated by the proposed rezoning of this area as ‘Environment’ under the subject amendment).

The provision of employment land is desperately needed within the local government area and broader area, with a significant disparity between demand and supply of employment and industrial land in the Nepean region. The proposed extension to the Employment zone is therefore considered to be of the utmost importance.

Furthermore, given the Employment land is adjacent to an existing industrial area to the east and south, the extension of the zone in this direction is fully compatible with the existing adjoining land uses and will have minimal impact. The proposed Environment zones and landscaping to Old Castlereagh Road (refer below) provide for buffers to other areas including the Nepean River, Penrith Lakes Scheme and Old Castlereagh Road.

Summary of Submission:

- *Proposed extension of employment zone fully supported.*

Rezoning to Environment Zone

The proposed Environment zone in the area to the south-west of the Employment zone, adjacent to the Nepean River, is supported, given it provides for further vegetated buffers to the Employment land, over and above the landscaped buffers to be provided within the Employment zoned land itself (as will be required by the provisions of a Development Control Plan to be applied to the land). An Environment zone to this area (which is within our client’s property) aligns with our clients intention to extend the Great River Walk through this area for the benefit of the general public and is considered suitable for an Environment zone given its existing environmental values which can be further improved and accessibility provided to members of the public via the Great River Walk.

Our client does not support an Environment zone along Old Castlereagh Road which is a very unusual zoning for an elongated 20m strip of land such as this. Unlike the area adjacent to the Nepean River, this area does display any particular environmental values. The area contains an informal band of trees, with the majority being in poor condition, as outlined in the arborist report attached to this submission. The trees were planted some time in the 1980s as part of mining operations. However, as outlined in the arborist report, they have been planted too close to each other such that they have not been able to attain a proper tree form and have been subject to severe lopping due to the height of the trees and proximity to high voltage powerlines along Old Castlereagh Road.

Accordingly, this area is not consistent with the qualities of an Environment zone, given the objectives of the Environment zone are as follows [emphasis added]:

- To protect, manage and restore **areas of high ecological, scientific, cultural or aesthetic value**.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect, manage, restore and enhance the ecology, hydrology and scenic values of **riparian corridors and waterways, wetlands, groundwater resources, biodiversity corridors, areas of remnant indigenous vegetation and dependent ecosystems**.
- To allow for low impact passive recreational and ancillary land uses that are consistent with the retention of the natural ecological significance.

The trees do not have high ecological, scientific, cultural or aesthetic value. In fact, the opposite is true as the trees and the area in general is of low value given its degraded condition. The area does not comprise a riparian corridor, biodiversity corridor nor an area of remnant indigenous vegetation. As such, the area is not appropriately zoned as 'Environment'.

Furthermore, the imposition of an Environment zone creates practical difficulties for the intended landscaping of this area and for the implementation of drainage infrastructure for the Lakes Scheme, as outlined below.

Permitted uses in the Environment zone are limited to the following: *Environmental facilities; Environmental protection works; Flood mitigation works; Recreation areas; and Roads*. Our client is committed to providing a comprehensive landscaped buffer to Old Castlereagh Road, and this has been discussed with DPIE as being a critical component to ensuring a landscaped entrance to the Penrith Lakes Scheme. Landscaping could possibly fall within the category of "environmental protection works" which is defined as "works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works". However, landscaping is not entirely consistent with this definition given it does not aim to simply rehabilitate land to its natural state and does not involve only bush regeneration works. Rather, it would be a comprehensive landscaping scheme. Therefore, the permitted uses in the Environment zone may preclude the ability to implement the proposed landscaped scheme.

In addition, an easement for drainage (to the benefit of PLDC) is located in the proposed Environment zone along Old Castlereagh Road to allow for connection of the basin located to the north-west to the detention basin located directly to the west of the Environment zone. The permitted uses in the Environment zone do not allow for the necessary drainage infrastructure to be installed in this area.

Given that the intention for this area is to provide a landscaped entrance to the Penrith Lakes Scheme, that the proposed 'Environment' zone may preclude such landscaping, and the area does not display the environmental values inherent to the Environment zone, an Environment zone to this area is not deemed appropriate.

A better outcome would be achieved by extending the Employment zoning to this area. There would be no constraints to the ability to implement a full landscaped scheme to the area or to provide the required water infrastructure. An Employment zone can achieve a landscaped buffer, given that a 20 metre landscaped setback to Old Castlereagh Road is stipulated as a requirement within the Development Control Plan (DCP) which will apply to the land (as per the draft DCP submitted to DPIE by our client). It would be more common to apply a DCP control to require a landscape strip rather than applying an unusually long and slender Environment zone.

Summary of Submission:

- *An Environment zone to the south of Old Castlereagh Road is not supported. An extension of the Employment zone to this area presents a better outcome to provide for a landscaped entrance to the Penrith Lakes Scheme.*

Arrangements for Designated State Public Infrastructure

The applicant submitted a development application in January 2019 for subdivision of the site, which is currently under assessment by DPIE. As lodged, the application is not subject to Clause 34 which requires satisfactory arrangements to be made for the provision of designated State public infrastructure, given the provision only applies where subdivision

would create a lot smaller than the minimum lot size permitted on the land immediately before the commencement of the Part, and there was no minimum lot size that applied to the subject site.

Given the application has been lodged prior to the proposed amendment to Clause 34, and on the basis that satisfactory arrangements would not be required, it is requested that a savings provision is inserted into the SEPP. Given that the subdivision DA was lodged almost 16 months prior to the exhibition of this amendment, it is considered reasonable that a savings provision should be incorporated into the SEPP such that these requirements are not imposed on the existing application.

It is recommended that a savings provision is added as a new sub-clause 34(3)(ba) as follows (shown bold and underlined):

(3) Subclause (2) does not apply to:

(a) any lot identified in the certificate as a residue lot, or

(b) any lot to be created by a subdivision of land that was the subject of a previous development consent granted in accordance with this clause, or

(ba) any lot to be created by a subdivision of land that was the subject of a development application lodged prior to the amendment made to this Policy by the [Name of Amendment], or ...

Summary of Submission:

- *A savings provision should be implemented for development applications that have been lodged prior to the amendment.*

Plan of Management

The proposed amendment to remove the requirement for an endorsed Plan of Management (POM) before consent can be granted on Environment zoned land is supported, given that it will allow development applications to be determined in the interim period until such time as a POM is endorsed.

Summary of Submission:

- *Proposed amendment to the Plan of Management requirement is supported.*

Housekeeping Amendments

It is noted that housekeeping amendments are proposed to update references to legislation that have been repealed or are out of date.

We would like to highlight additional provisions that require a housekeeping amendment, as follows.

Schedule 1

Schedule 1 of the SEPP describes the Penrith Lakes Scheme and refers to the creation of a regional recreational lake system and “the identification of land for possible future urban purposes...” as a result of the extraction and rehabilitation, reconstruction and landscaping of the land.

The description of the Scheme in Schedule 1 is directly relevant to the consideration of development applications, as Clause 8(1) of the SEPP requires that any development must be for the purposes of implementing the Penrith Lakes Scheme.

Given that rezoning of land within the Scheme has occurred (with the 2017 amendment of the SEPP introducing Employment, Environment, Parkland, Residential, Tourism and Waterway zones), the description of the Scheme

cannot refer only to the identification of land for possible future urban purposes - land has already been zoned for urban purposes.

The issue with the present wording of Schedule 1 referring to only “identification” of land for “possible” future urban purposes” is that development of the land within the urban release areas goes well beyond the “identification” of land and can therefore be deemed to be inconsistent with the purpose of implementing the Scheme. The present wording in effect states that the Penrith Lakes Scheme ends at the point in time when a “possible” future urban purpose is identified. In order for development applications to be clearly considered to be for the purposes of implementing the Penrith Lakes Scheme, this description should be amended to refer to the already released urban areas.

To this effect we recommend the following amendment to the wording of Schedule 1 (additions shown bold and underlined):

The Penrith Lakes Scheme is the creation of a regional recreational lake system as shown on the structure plan for the benefit of the public as a result of—

- (a) the staged optimum extraction of sand and gravel reserves,*
- (b) the staged rehabilitation, reconstruction and landscaping of the land, and*
- (c) the staged formation of a series of interconnected lakes,*

*and includes **urban release areas and** the identification of **other** land for possible future urban purposes as a result of the work referred to in paragraphs (a) and (b).*

Clause 8(2)(a)(iii)

Clause 8(2)(a)(iii) requires that development is in accordance with the Structure Plan. However, the Structure Plan does not include the rezoning of land implemented by the 2017 amendment, and therefore there is an inherent inconsistency with the other provisions of the SEPP which allows for development within these rezoned areas.

To address this inconsistency, it is recommended that Clause 8(2)(a) is amended as per the below:

- (2) The consent authority shall grant consent to development to which this clause applies unless:*
 - (a) the consent authority is of the opinion that the development the subject of the application:*
 - (i) does not fully implement the Penrith Lakes Scheme on the land to which the application for development relates, **or***
 - (ii) will not ensure the satisfactory implementation of the Penrith Lakes Scheme, ~~or~~ **and***
 - ~~(iii) is not generally in accordance with the structure plan, and~~*

It is unnecessary to refer to the structure plan here, given that the requirement under subclause (a)(i) and a(ii) requires consideration of the implementation of the Penrith Lakes Scheme. Schedule 1 describes the Scheme and refers to the recreational lake system “as shown on the structure plan”. Therefore, development must be considered against the structure plan. However, the proposed amendment to Schedule 1 outlined above, and removing the reference to the structure plan in Clause 8(2)(a)(iii), would allow for development within the urban release areas to not be impeded by outdated references within the SEPP which currently render development in these areas as inconsistent with the structure plan.

Clause 8(4)(a)

Clause 8(4)(a) refers to the need to take into account the Penrith Lakes Scheme Regional Environmental Study (RES) when determining development applications. The RES is no longer relevant to consideration of development applications, and should be removed as a requirement.

The RES was undertaken in 1984, and is superseded by later changes to the planning regime including the making of the *Regional Environmental Plan No. 11 – Penrith Lakes Scheme* (SREP 11) which was made in 1986, and the later amendment of SREP 11 to become the Penrith Lakes SEPP.

Additionally, the RES only considered the creation of a recreational lake system and does not consider the urban release areas which are now permitted within the Scheme area.

Further, it is understood that the RES is enshrined in the 1987 Deed of Agreement (Deed) Part 3 – *Intention of the Parties, Schedule 1.1 Associated Works* and Schedule 7 Annexure “A” *Water Planning & Design Standards*. This contract is a private cooperative joint venture between the NSW State Government and PLDC for the design, construction, financing and delivery of the Penrith Lakes Scheme. The Deed should be kept quite separate to assessment of applications under the SEPP, particularly noting that our client is not subject to the Deed obligations.

Summary of Submission:

- Housekeeping amendments should include the modification of the Schedule 1, Clause 8(2)(a)(iii) and Clause 8(4)(a) as outlined above.

Other

Water Management Plan

Clause 22 of the SEPP stipulates that “*development consent must not be granted for development on land zoned Employment unless the consent authority has considered the following: (a) a water quality management plan and water operations plan for the Penrith Lakes Scheme that are endorsed by the Secretary as being appropriate for the Scheme*”.

The requirement for a water quality management plan (WQMP) and water operations plan (WOP) is only applicable to the Employment zoned land and not any other zones. This requirement presents an unfair impediment on the ability of our client to develop the land in accordance with the SEPP objectives and controls, given that the timeframe for the plan(s) to be endorsed is in the order of years.

Our client has submitted a WQMP and WOP for the Employment Lands area which is fully consistent with the water management principles which will apply to the Penrith Lakes Scheme as a whole. The WQMP/WOP submitted by our client demonstrates that the interaction with, and impacts of, water management on the site with regards to the Penrith Lakes Scheme are minimal and are limited to a single point of discharge to the west. This discharge point in accordance with the approved PLDC WOP is the subject of an agreement with PLDC, and therefore not subject to change as part of the finalisation of water management across the Scheme. The parameters controlling that water entry (including the location point, level, and water quality) have been extensively researched and are consistent with the Stage 1 approved WMP.

The appropriate requirements which should apply in the zone are reflected in the Employment zone objectives which include “*to incorporate appropriate water quality management measures to ensure that development does not detrimentally impact on the implementation of the Penrith Lakes Scheme and the operation and use of Olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium*”. The submitted WQMP/WOP clearly demonstrates consistency with this objective.

The water management plans for the whole of the Penrith Lakes Scheme are a requirement under the 1987 Deed. The introduction to *The Penrith Lakes Development Corporation 2012 Water Management Plan: Stage 2 November 2014* states:

Penrith Lakes Development Corporation (PLDC), in accordance with the provisions of the 1987 Deed of Agreement (Deed) with the State of New South Wales, is implementing the Penrith Lakes Scheme. A key document described in the Deed and its Schedules is the Water Management Plan, the aim of which was to guide the development and implementation of a unique water based Scheme for western Sydney on completion of extraction activities.

There are many references to the 1987 Deed throughout the various water management plan documents. The requirement for the preparation of a water management plan is clearly a private contractual requirement between PLDC and the State Government.

The Deed should be kept quite separate to assessment of applications under the SEPP, particularly noting that our client is not subject to the Deed obligations.

On the above basis, the present SEPP provision which requires an endorsed water quality management plan and water operations plan for the Penrith Lakes Scheme in its entirety prior to the determination of any development application on our client's land is disproportionate ; to the potential impacts. In addition, our clients land has always drained to the Western discharge point and will continue to do so. More importantly as the site is the first stormwater to enter the Penrith Lakes scheme at the "head of the lakes" and this will not change.. In other words the Employment land can be treated independently of the balance of the scheme. Given the submitted WQMP/WOP for the Employment Lands provides certainty for water management on the site and its interaction with the wider Scheme, it is considered appropriate that Clause 22(a) is amended as follows:

"development consent must not be granted for development on land zoned Employment unless the consent authority has considered the following: (a) a water quality management plan and water operations plan for the ~~Penrith Lakes Scheme~~ Employment zoned land that ~~are~~ is assessed as being appropriate for the ~~Scheme~~".

Summary of Submission:

- Clause 22(a) should be amended such that a water quality management plan and water operations plan for the Employment zoned land can be provided without the need for the endorsement of the Scheme wide plan(s), consistent with the objectives of the Employment zone.

3. CONCLUSION

We trust that sufficient information is provided in this submission to clearly outline our client's position on the proposed amendments to the Penrith Lakes SEPP.

We would appreciate the opportunity to discuss this submission further and/or should you require any further clarification, please do not hesitate to contact our office.

Yours faithfully,
Planning Ingenuity Pty Ltd



Ruth O'Brien
PRINCIPAL PLANNER



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17th September 2019

Great River NSW Pty Ltd
Attention: The Directors
Level 1, 2 Barrack Street
Sydney NSW 2000

**Re – Arborist Inspection – Tree Survey - Penrith Lakes Employment Land
Old Castlereagh Rd.**

Reference is made to your recent request for a Tree Survey of trees within the proposed redevelopment of Employment Lands site Penrith Lakes. Trees surveyed for this report are the trees located within the property adjoining Old Castlereagh Road Penrith.

The survey was conducted in September 2019 and assessed the health, structure and life expectancy of trees. Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) were also calculated for each tree for the required setbacks needed if the trees were to be retained within the redevelopment of the site.

In total 494 trees were assessed. Almost two thirds (64%) of the trees have been recommended for removal due to structural defects and declining health (317 trees). The condition of the trees at this site is the poorest that ATC has surveyed for a development site.

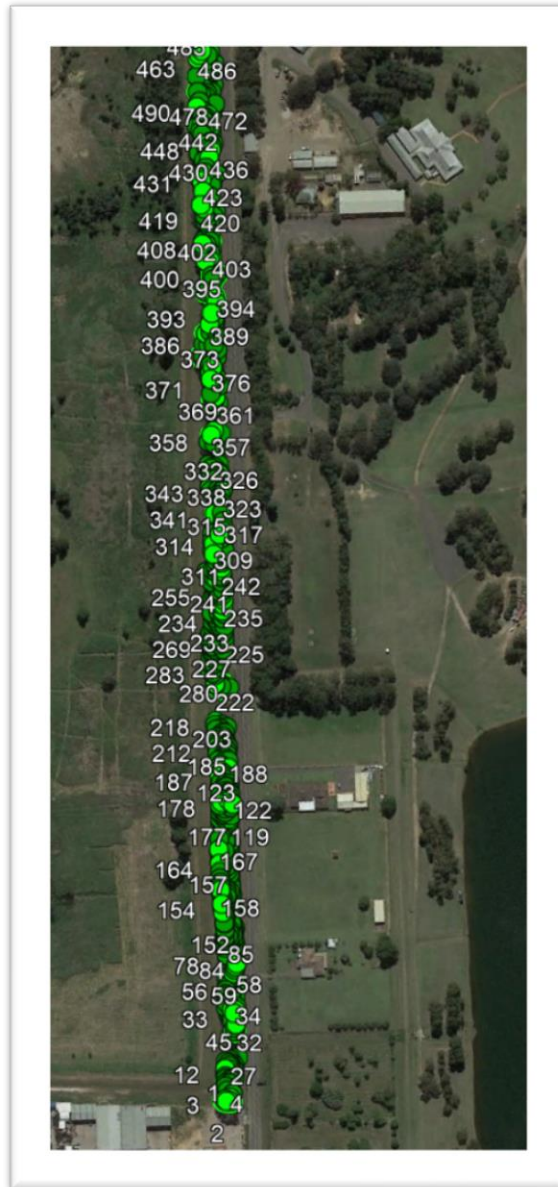
If you require any further information in relation to this report, please contact us on 0418 474 796.

Yours sincerely

Hugh Taylor
Director - Australian Tree Consultants
Member Arboriculture Australia
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Arborist/ Tree Surgeon/ Horticulturist
Certificate IV Occupational Health & Safety
QTRA No 2650

Southern Wetlands Site Penrith Lakes Employment Land Old Castlereagh Rd.

Tree Survey



17th September 2019

AUSTRALIAN TREE CONSULTANTS PTY LTD

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KMZ file – to be loaded into Google Earth	

INTRODUCTION

Greater River NSW Pty Ltd has commissioned Australian Tree Consultants Pty Ltd to conduct a Tree Survey of trees within Penrith Lakes Employment Land. Trees inspected for this report are the boundary trees on the northern side of the site adjoining Old Castlereagh Rd Penrith.

The site was inspected by Hugh Taylor AQF Level 5 Consulting Arborist and Thomas Taylor Environmental Scientist in September 2019.

The aim is to provide an assessment of the health, structure and life expectancy of trees included in the survey and make recommendations for trees that require removal and trees that can be retained.

METHODOLOGY

A Visual Tree Assessment (VTA) inspection was undertaken from ground level. Tree height, canopy spread and trunk diameter at breast height (DBH) and at base (DAB) were estimated. Data collected included species, height, canopy spread, DBH, DAB, health, structure, age, total life expectancy, % of deadwood and tree defects.

Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) were also calculated for each tree for the required setbacks needed if the trees are to be retained within the redevelopment of the site.

Tree locations were obtained by the use of our GEO 7X GNSS sub cm survey system. Co-ordinates are in GDA map zone 56.

Electronic Files

All tree data collected is referenced to the given tag number in the electronic EXCEL data sheet. Tree data can also be uploaded into Google Earth via the KMZ file, and when the tree icon is clicked the tree data will appear.

OBSERVATIONS / DISCUSSION

All trees along the northern side of the site adjoining Old Castlereagh Rd Penrith were inspected and recorded for this report (refer Map 1 below). Detailed maps of the site locations are contained in the Appendices (Maps 2 – 4).



Map 1. Overall site map of trees surveyed

In total **494 trees** were assessed and allocated a tree number. No trees were tagged but the GNSS location for each tree was recorded.

The trees appear to have been planted in the 1970's and 1980's to act as a screen planting for the past mine site. Unfortunately, the trees that were planted were not to a high quality and many of the trees have structural defects that have now compromised retention. Adding to the poor tree structures within this planting is the poor soils that the trees were planted into and the ongoing severe lopping of the trees for the Powerline clearances. Furthermore, the soil profile has been altered and is inverted in areas, scalped in other areas and anthroposol in some areas.



Photos 1 & 2. Severe lopping of the trees for powerline clearances. Photo 1 also shows defective tree structures like this stem inclusion which has excessive borer damage due to the lopping of the tree.



Photo 3. Stem inclusion cracking and opening up. Likely to fail within the near future.

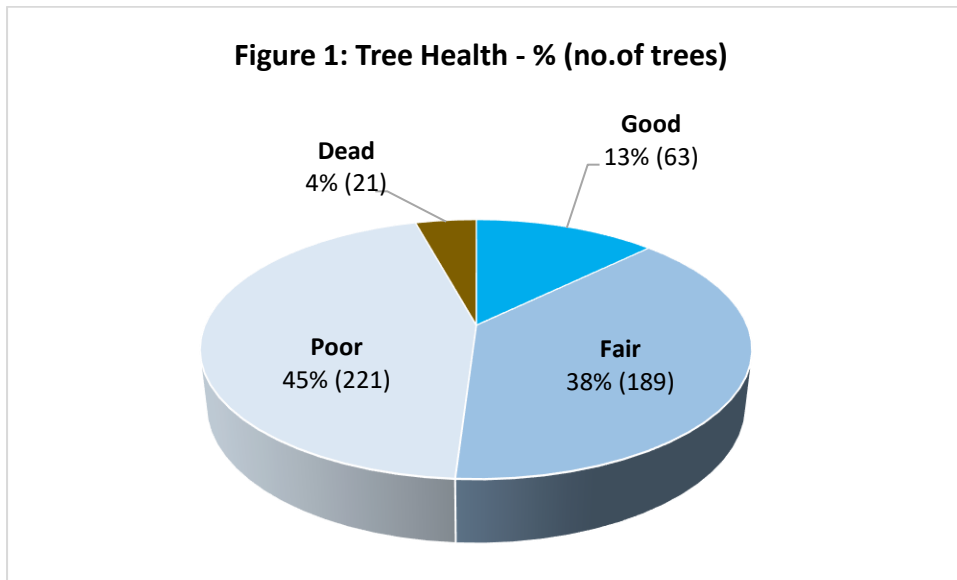


Photo 4. Failure of main stem which occurred whilst onsite surveying the trees.

Tree Health:

- Good 63 trees
- Fair 189 trees
- Poor 221 trees
- Dead 21 trees

Total 494 trees

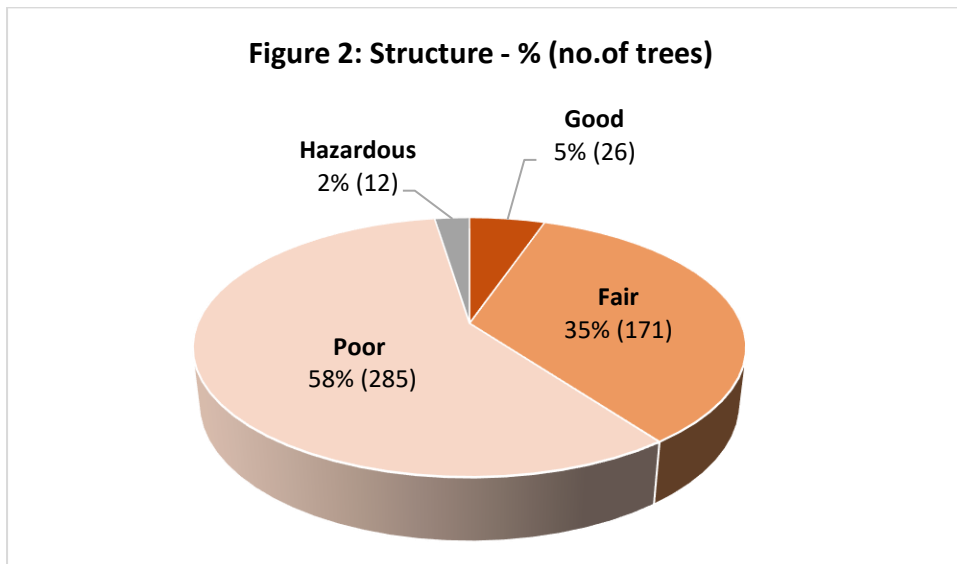


Southern Wetlands Site – Penrith Lakes September 2019

- 13% of the trees surveyed were assessed in good health (63 trees).
- Over a third (38%) were assessed in fair health (189 trees).
- The majority (45%) of the trees were assessed in poor health (221 trees).
- Twenty one (21) trees were dead.

Tree Structure:

- Good 26 trees
 - Fair 171 trees
 - Poor 285 trees
 - Hazardous 12 trees
- Total 494 trees



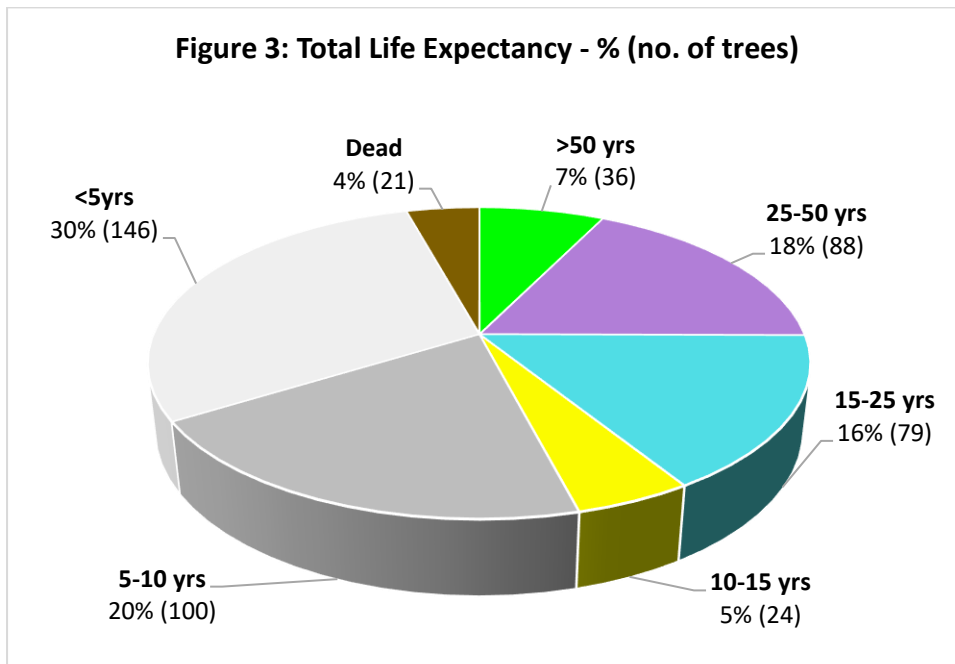
Southern Wetlands Site – Penrith Lakes September 2019

- Only 5% of the trees surveyed have good structure (26 trees).
- Over a third (35%) have fair structure (171 trees).
- The majority (58%) of trees have poor structure (285 trees).
- 12 trees were assessed as having a hazardous structure.

Tree Life Expectancy:

- > 50 years 36 trees
- 25 - 50 years 88 trees
- 15 - 25 years 79 trees
- 10 - 15 years 24 trees
- 5 - 10 years 100 trees
- < 5 years 146 trees
- Dead 21 trees

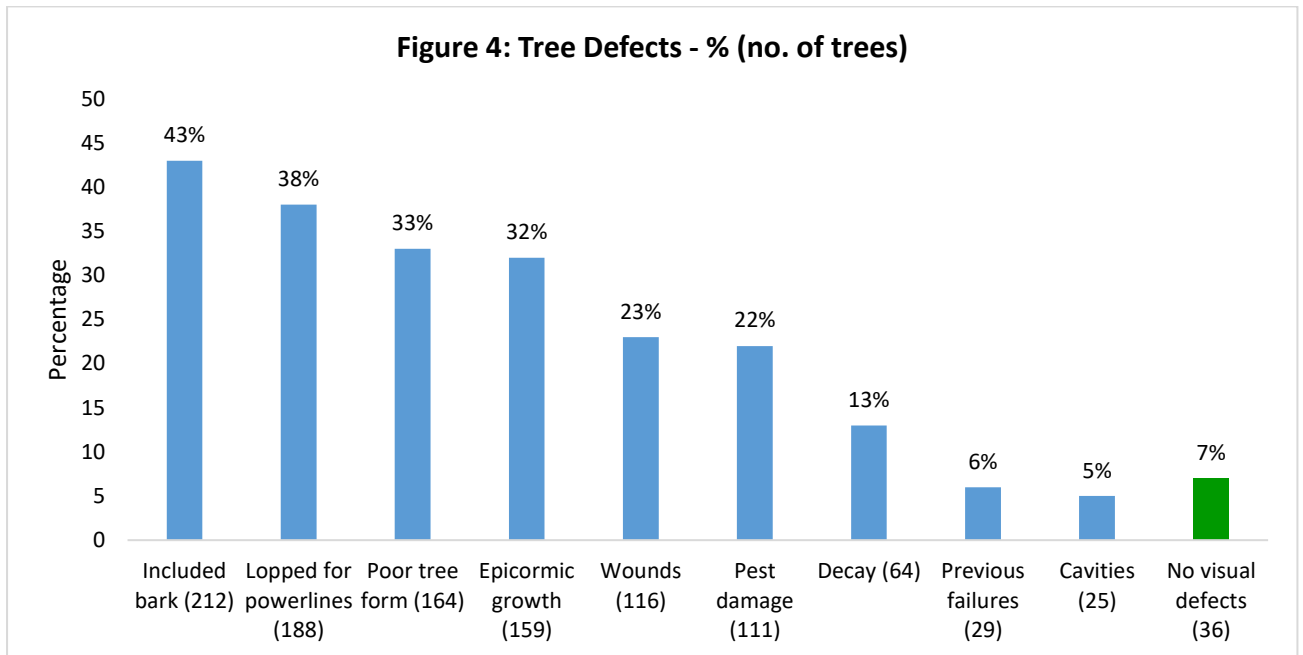
Total 494 trees



Southern Wetlands Site – Penrith Lakes September 2019

- Only 7% of the tree population assessed have a remaining life expectancy of greater than 50 years (36 trees).
- 18% have a remaining life expectancy of 25 – 50 years (88 trees).
- 16% have a remaining life expectancy of 15 - 25 years (79 trees).
- 5% have a remaining life expectancy of 10 – 15 years (24 trees).
- 54% have a remaining life expectancy of less than 10 years (267 trees).

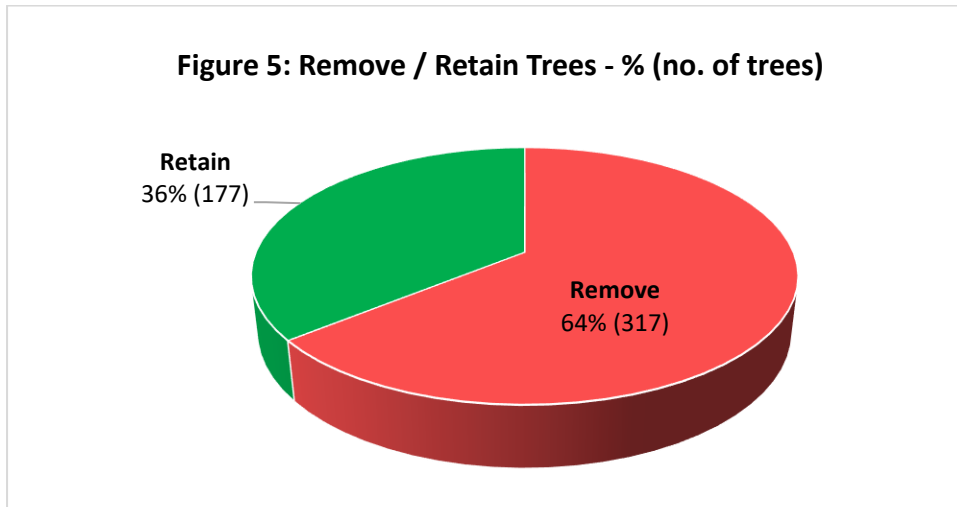
Tree Defects:



Southern Wetlands Site – Penrith Lakes September 2019

- Only 7% of trees surveyed had no visual defects (36 trees).
- Most trees have multiple tree defects which have compromised their health, structure and shortened their life expectancy. The most prevalent defects were included bark (43%), lopped for powerlines (38%), poor tree form (33%) and epicormic growth (32%).

Remove / Retain:



Southern Wetlands Site – Penrith Lakes September 2019

- Almost two thirds (64%) of the trees surveyed are recommended for removal (317 trees).
- Detailed maps of the trees recommended for removal and those that could be retained are contained in the Appendices (Maps 5 – 17).

SUMMARY

The condition of this group of trees at the Employment Lands along Old Castlereagh Rd, is the poorest that Australian Tree Consultants has surveyed for a development site. With the poor species of trees planted into an altered soil profile and then the ongoing severe lopping of the trees, the demise of this avenue of trees has occurred.

With the large proportion of the trees being recommended for removal, due to declining health and structural defects, the remaining trees that could be retained will most likely also start to decline as they would be exposed and not sheltered as they currently are.

No trees of significance were identified. Also, no significant habitat hollows or large cavities were found that were being actively used by animals.

RECOMMENDATIONS

- 317 trees have been recommended for removal based on structural defects and declining health.
- Although 177 trees could be retained, consideration should be given to removing all trees within the surveyed area prior to the redevelopment of the site. This is very unusual for ATC to recommend this. However, this would then allow for the remediation of the site and appropriate tree species to be planted that would exceed 50 years and replace the lost canopy cover without having to be lopped for powerline clearances.
- All tree work should be performed to specifications detailed within the report and all works should be to Australian Standard 4373 – 2007 Pruning of Amenity Trees and SafeWork NSW Code of Practice 'Amenity Tree Industry', 1998. Reference should also be undertaken for any tree works to the Safe Work Australia Guide to Managing Risks of Tree Trimming and Removal Work – 2016. All tree work should be performed by a minimum AQF Level 3 qualified arborist.

If you require any further information in relation to this report, please contact us on 0418 474796.



Hugh Taylor
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Member Arboriculture Australia
BA (L) Major in Wilderness Management/Outdoor Education.
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Thomas Taylor
Environmental Scientist
BNatSc (Environmental Management)
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LIMITATION OF LIABILITY

Australian Tree Consultants Pty Ltd and their employees are tree specialists who use their qualifications, education, knowledge, training, diagnostic tools and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of this assessment and report.

Australian Tree Consultants Pty Ltd and its employees cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that sometimes fail in ways the arboriculture industry does not fully understand. Conditions are often hidden within trees and below ground. Unless otherwise stated, observations have been visually assessed from ground level. Australian Tree Consultants Pty Ltd cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the scope of Australian Tree Consultants Pty Ltd services, such as property boundaries and ownership, disputes between neighbours, sight lines, landlord-tenant matters, and related incidents. Australian Tree Consultants Pty Ltd cannot take such issues into account unless complete and accurate information is given prior or at the time of the site inspection. Likewise Australian Tree Consultants Pty Ltd cannot accept responsibility for the authorisation or non-authorisation of any recommended treatment or remedial measures undertaken.

In the event that Australian Tree Consultants Pty Ltd recommends retesting or inspection of trees at stated intervals or installs any cable/s, bracing systems and support systems, Australian Tree Consultants Pty Ltd must inspect the system installed at intervals not greater than 12 months unless otherwise specified in written reports. It is the client's responsibility to make arrangements with Australian Tree Consultants Pty Ltd to conduct the re- inspection.

Trees can be managed, but they cannot be controlled. To live or work near a tree involves a degree of risk. The only way to eliminate all risks associated with a tree is to eliminate the tree.

All written reports must be read in their entirety, at no time shall part of the written assessment be referred to unless taken in full context of the whole written report.

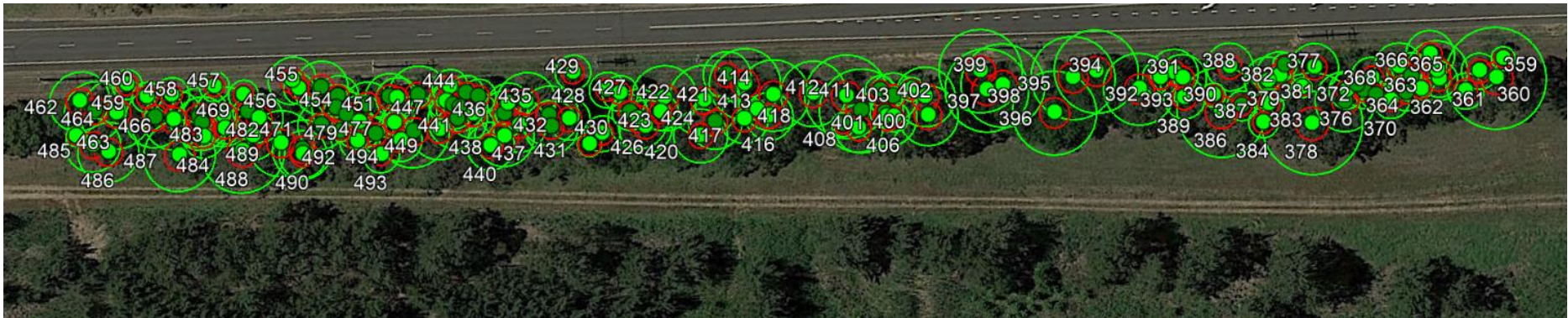
If this written report is to be used in a court of law or any legal situation Australian Tree Consultants Pty Ltd must be advised in writing prior to the written assessment being presented in any form to any other party.



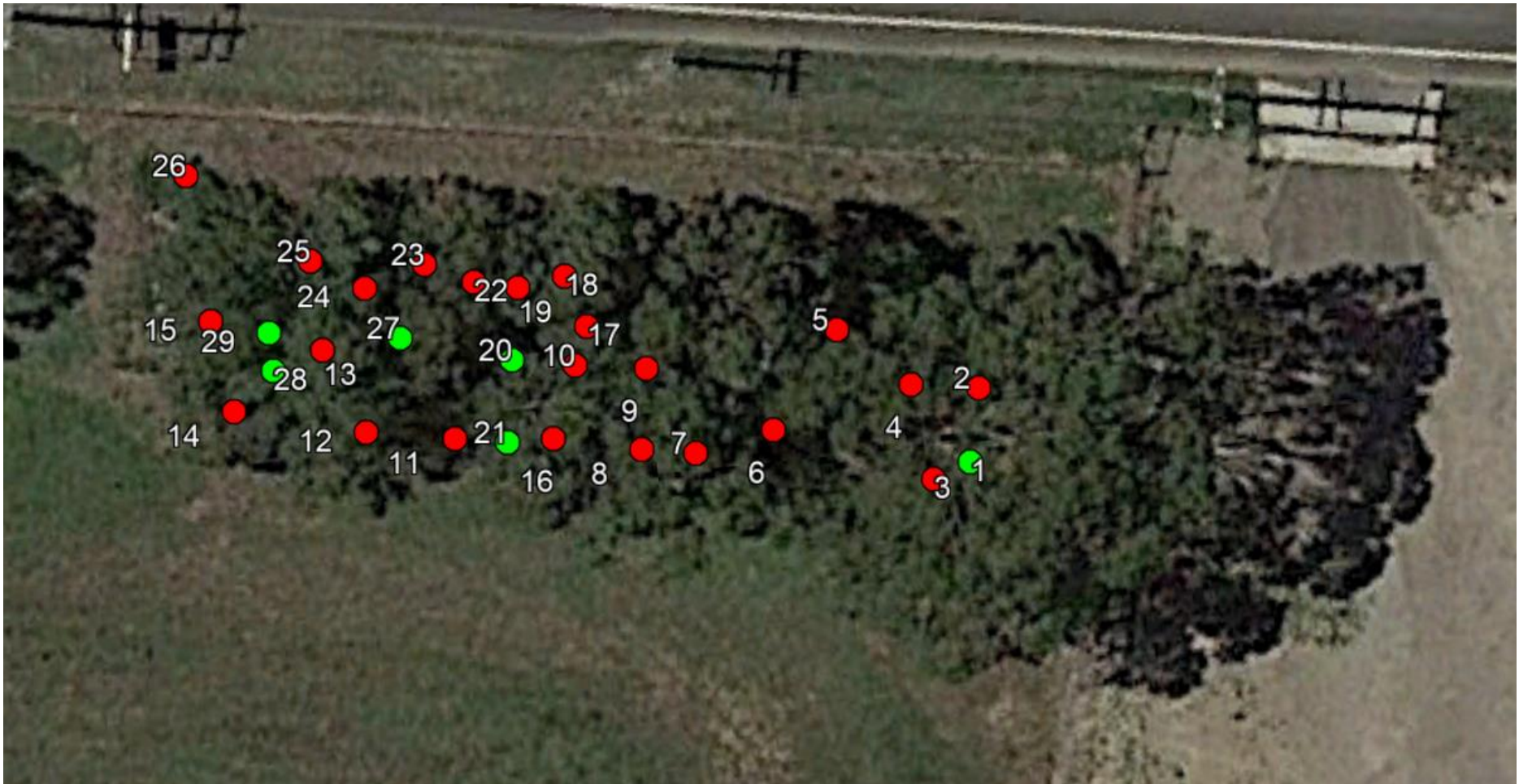
Map 2: Overall Site trees assessed. Trees No 1 – 218. TPZ & SRZ marked



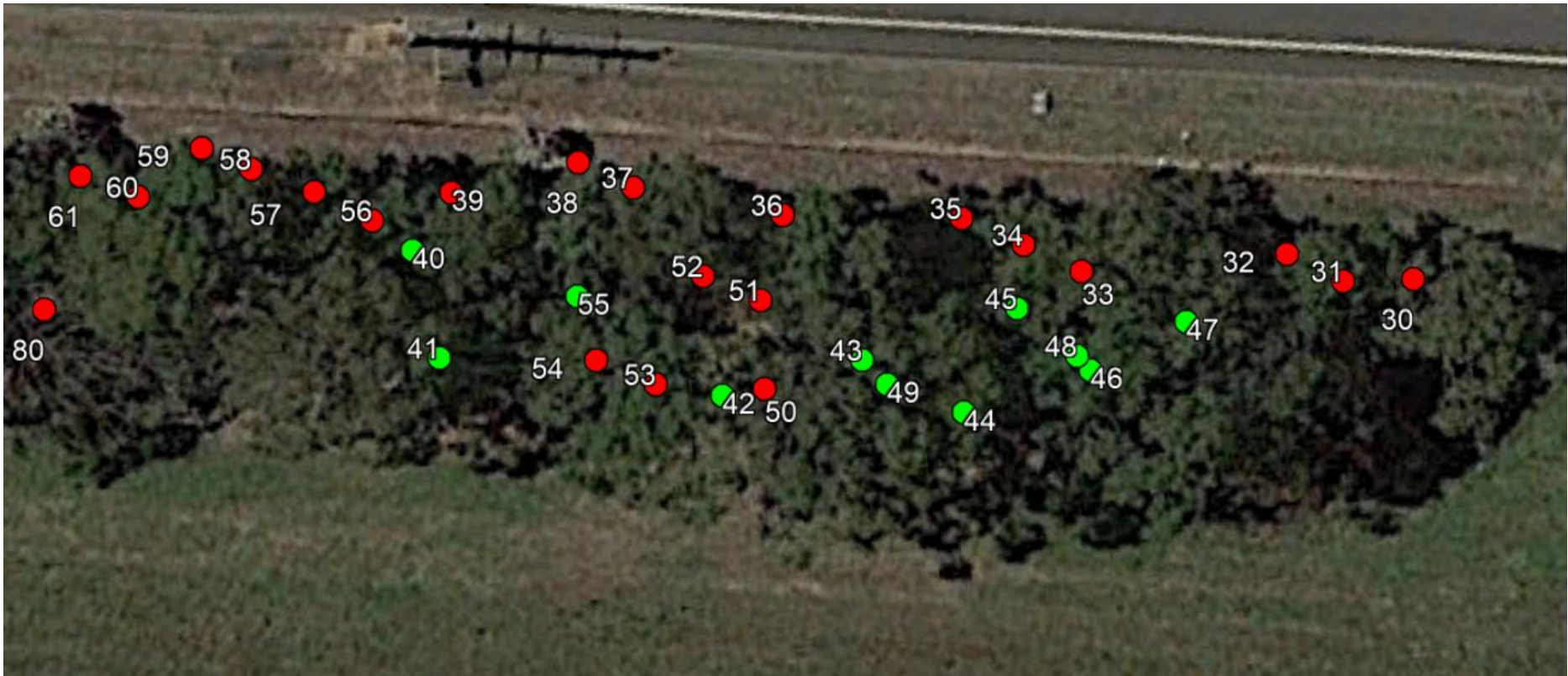
Map 3: Overall Site trees assessed. Trees No 219 – 358. TPZ & SRZ marked



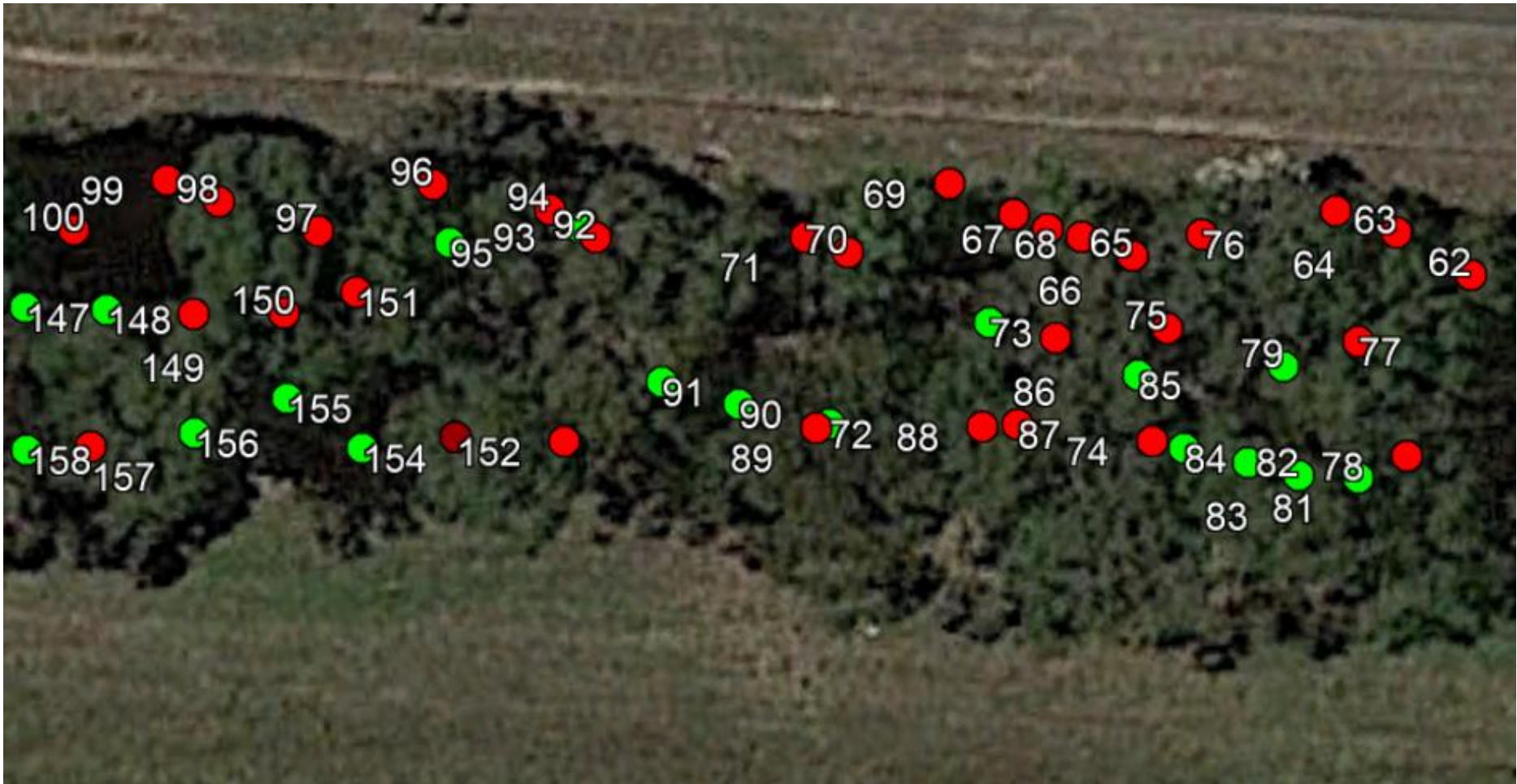
Map 4: Overall Site trees assessed. Trees No 359 – 494. TPZ & SRZ marked



Map 5: Retain / Remove Green dot - can be retained. Red dot - removals



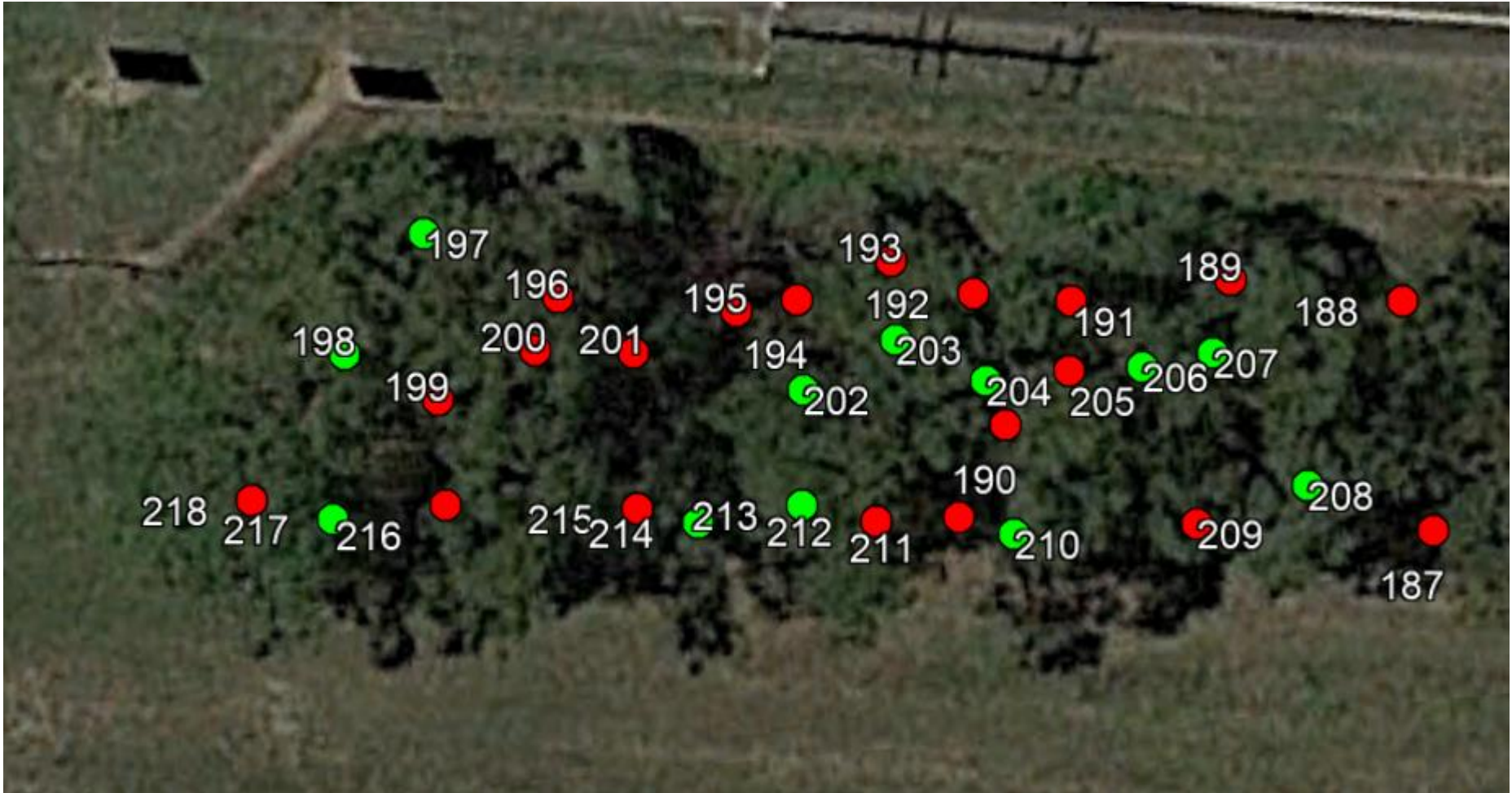
Map 6: Retain / Remove Green dot - can be retained. Red dot - removals



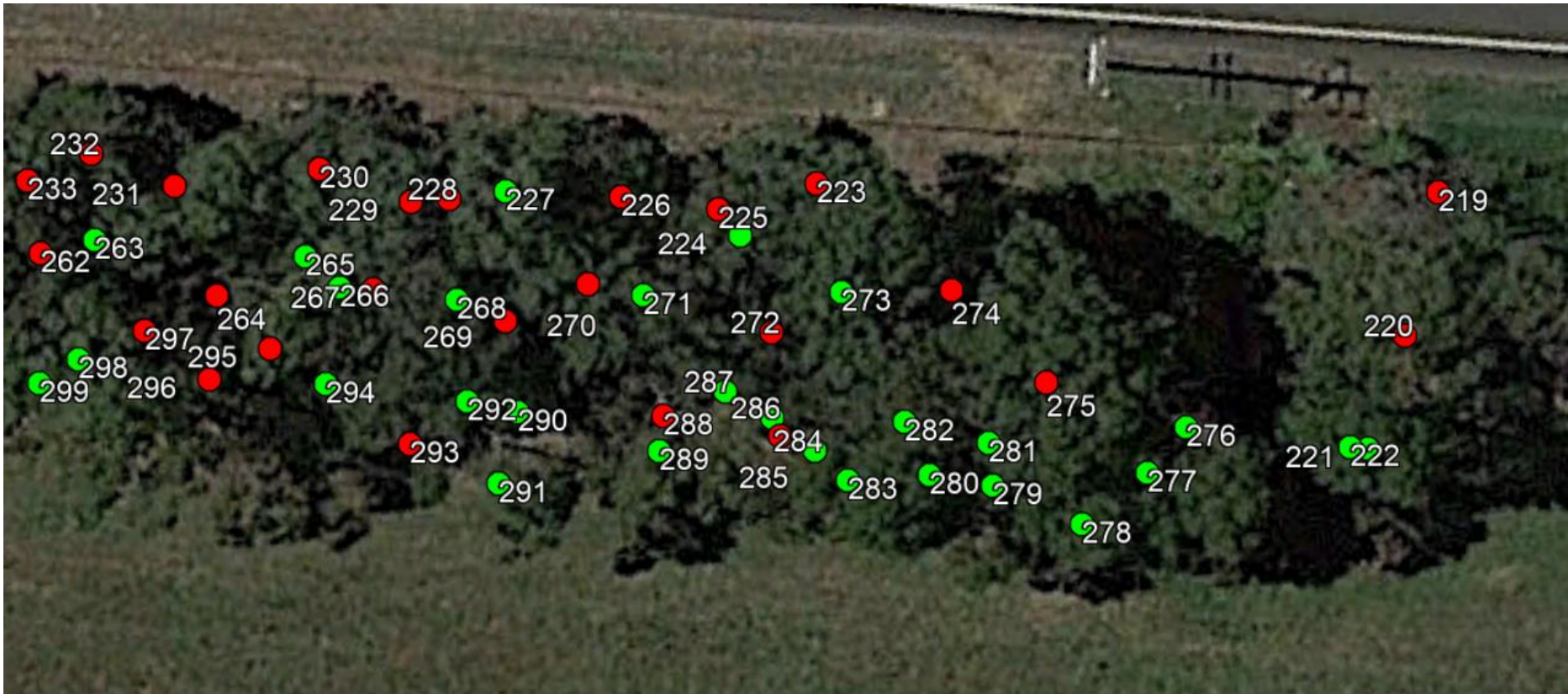
Map 7: Retain / Remove Green dot - can be retained. Red dot - removals



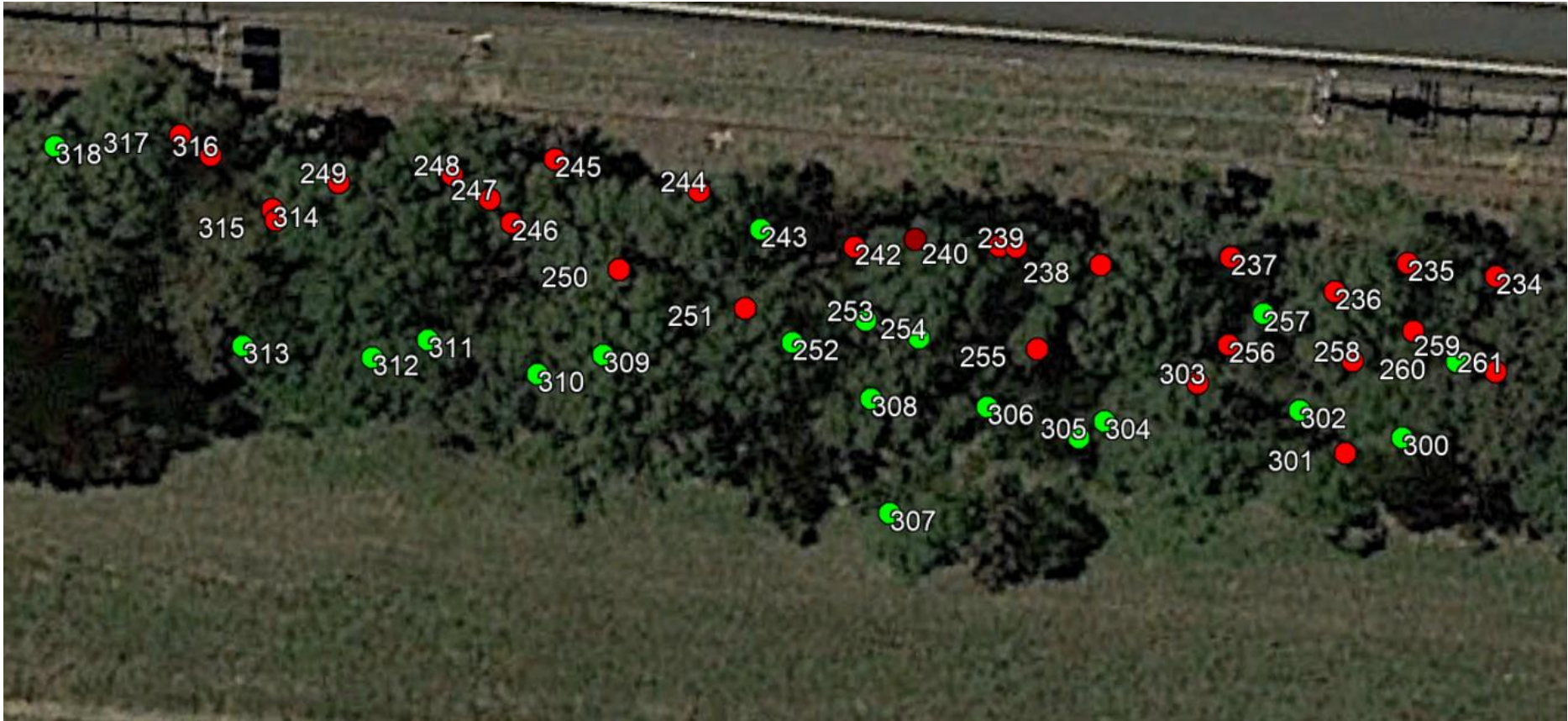
Map 8: Retain / Remove Green dot - can be retained. Red dot - removals



Map 9: Retain / Remove Green dot - can be retained. Red dot - removals



Map 10: Retain / Remove Green dot - can be retained. Red dot - removals



Map 11: Retain / Remove Green dot - can be retained. Red dot - removals



Map 12: Retain / Remove Green dot - can be retained. Red dot - removals



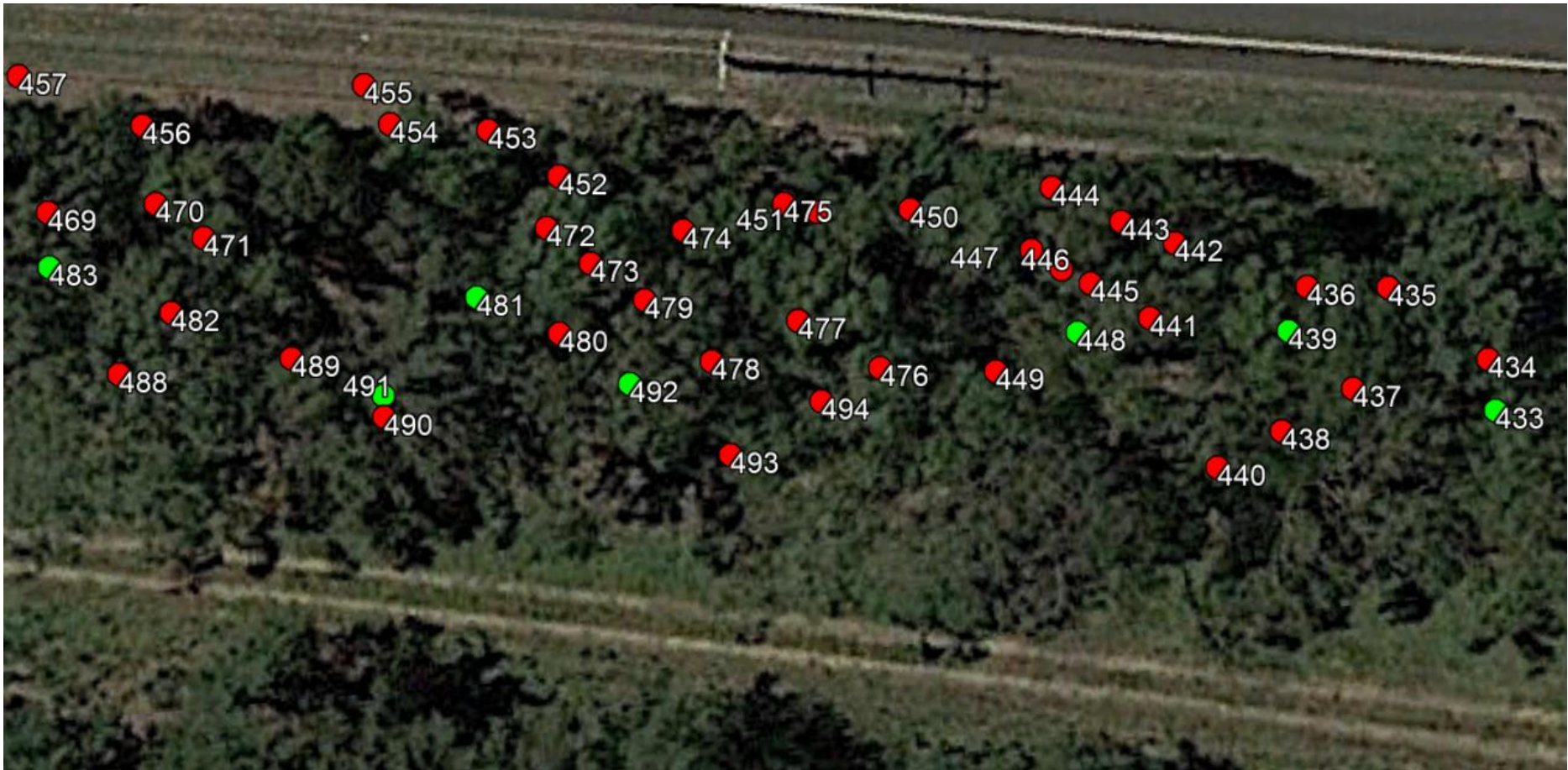
Map 13: Retain / Remove Green dot - can be retained. Red dot - removals



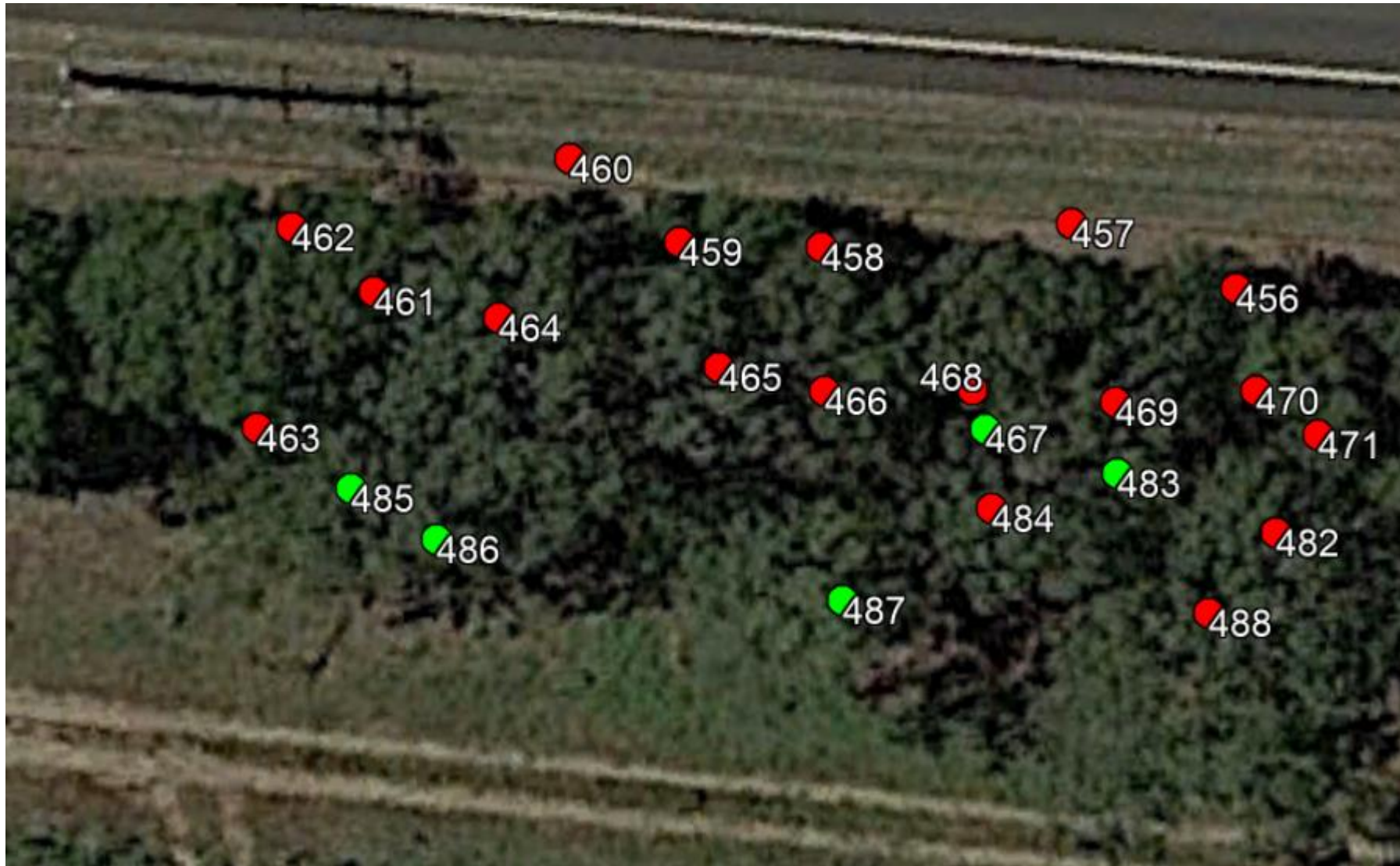
Map 14: Retain / Remove Green dot - can be retained. Red dot - removals



Map 15: Retain / Remove Green dot - can be retained. Red dot - removals



Map 16: Retain / Remove Green dot - can be retained. Red dot - removals



Map 17: Retain / Remove Green dot - can be retained. Red dot - removals