DETERMINATION
BUSINESS PAPER
(Item 3)
LOCAL PLANNING PANEL MEETING

Wednesday 27 August 2025
at 4:00 PM

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ITEMS

ITEM 3

3 DA/679/2025 - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE - 4 EASTCOTE ROAD, NORTH EPPING

DA No:	DA/679/2025 (PAN-543705 - Lodged on 16 June 2025)
Description:	Alterations & Additions to a dwelling house
Property:	Lot 4 DP 27760, No. 4 Eastcote Road, North Epping
Applicant:	ICR Design Pty Ltd
Owner:	Mr Glenn Anthony Guzzo & Ms Farah Jan Mohamed
Estimated Value:	$331,925.00
Ward:	C Ward
Clause 4.6 Request:	Clause 4.3 'Height of buildings' in Hornsby Local Environmental Plan 2013
Submissions:	Nil
LPP Criteria:	Proposal contravenes a development standard by more than 10%
Author:	Rachel Hughes, Town Planner
COI Declaration:	No Council staff involved in the assessment of this application have declared a Conflict of Interest.

RECOMMENDATION

A. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, contravene Clause 4.3 Height of buildings Development Standard pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013, as it is satisfied that the applicant has demonstrated that the provisions of Clause 4.6(3)(a) and (b) have been met.

B. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/679/2025 for alterations and additions to a dwelling house at Lot 4 DP 27760, No. 4 Eastcote Road, North Epping subject to the conditions of consent in Schedule 1 of LPP Report No. LPP21/25.

ITEM 3

EXECUTIVE SUMMARY

- The application involves alterations and additions to a dwelling house, comprising a first floor addition and associated works.
- The proposal does not comply with the 8.5m maximum height of buildings control in Clause 4.3 'Height of buildings' of the Hornsby Local Environmental Plan 2013 (HLEP). The applicant has made a submission in accordance with Clause 4.6 'Exceptions to development standards' of the HLEP to contravene Clause 4.3. The submission is considered well founded and is supported.
- No submissions have been received in respect of the application.
- It is recommended that the application be approved.

SITE

The 986.4m^2 site is located on the south-western side of Eastcote Road. It contains a single storey dwelling with basement garage. It also contains several trees and garden beds.

The site is surrounded by low density residential development.

The site experiences approximately 3m fall towards the south-eastern boundary. It is identified as steep (slope >20%) land.

The site is not identified as bushfire prone land nor flood prone land.

The site is burdened by an easement for support (variable width) along the front boundary. A Sydney Water Sewer Line crosses through the middle of the site.

The site does not contain a heritage listed item, is not located within a heritage conservation area, and is not in the vicinity of any heritage listed items.

Council's mapping does not identify any significant ecological communities on or adjoining the site.

The site is serviced by existing water supply, power supply, telecommunications, wastewater, stormwater, and access infrastructure.

PROPOSAL

The application proposes alterations and additions to a dwelling house.

The basement (no changes proposed) comprises:

- Single garage
- Laundry
- Two storage areas

The ground floor (as altered) would comprise:

- Front deck and entry (no change)
- Two living rooms (no change)
- Open plan kitchen/dining (no change)
- Study (no change)

- Two bedrooms (no change)
- Bathroom with separate WC (reconfigured)
- Laundry (reconfigured)
- Rear deck (no change)

The first floor (new) would comprise:

- Living room
- Two bedrooms with WIR
- Bathroom

The tiled roof is proposed to be replaced with a metal roof and the external stairs to the front deck are proposed to be relocated.

The proposed works also include the construction of a carport.

Partial demolition works are proposed to accommodate the proposed alterations and additions.

One tree is proposed for removal.

ASSESSMENT

The development application has been assessed having regard to the Greater Sydney Region Plan – A Metropolis of Three Cities, the North District Plan and the matters for consideration prescribed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act). The following issues have been identified for further consideration.

1. STRATEGIC CONTEXT

1.1 Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan

The Greater Sydney Region Plan - A Metropolis of Three Cities has been prepared by the NSW State Government to guide land use planning decisions over the next 40 years (to 2056). The Plan sets a strategy and actions for accommodating Sydney's future population growth and identifies dwelling targets to ensure supply meets demand. The Plan also identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

The NSW Government will use the subregional planning process to define objectives and set goals for job creation, housing supply and choice in each subregion. Hornsby Shire has been grouped with Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Ryde, Northern Beaches and Willoughby to form the North District. The North District Plan includes priorities and actions for Northern District over the next 20 years.

The identified challenge for Hornsby Shire will be to provide 5,500 new completed homes by 2029 with further strategic supply targets to be identified to deliver 97,000 additional dwellings in the North District by 2036.

The proposed development would be consistent with the Greater Sydney Region Plan - A Metropolis of Three Cities and the North District Plan.

2. STATUTORY CONTROLS

Section 4.15(1)(a) requires Council to consider *"any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and regulations"*.

2.1 Hornsby Local Environmental Plan 2013

The proposed development has been assessed having regard to the provisions of the Hornsby Local Environmental Plan 2013 (HLEP).

2.1.1 Zoning of Land and Permissibility

The subject land is zoned R2 Low Density Residential under the HLEP. The objectives of the R2 zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed development is defined as 'dwelling house' and is permissible in the R2 zone with Council's consent.

2.1.2 Height of Buildings

Clause 4.3 of the HLEP provides that the height of a building on any land should not exceed the maximum height shown for the land on the Height of Buildings Map. The maximum permissible height for the subject site is 8.5 metres. The proposal has a maximum height of 9.5 metres and does not comply with this provision.

2.1.3 Exceptions to Development Standards

The application has been assessed against the requirements of Clause 4.6 of the HLEP. This clause provides flexibility in the application of the development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tender to hinder the attainment of the objectives of the zone.

The proposal exceeds the 8.5m maximum height of buildings control in Clause 4.3 'Height of buildings' of the HLEP.

The objective of Clause 4.3 'Height of buildings' is:

(a) To permit a height of buildings that is appropriate for the site constraints, development potential and infrastructure capacity of the locality.

The applicant has made a submission in support of the contravention to the development standard in accordance with Clause 4.6 of the HLEP. Clause 4.6 provides that:

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Note: *The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).*

In Initial Action Pty Ltd v Woollahra Municipal Council [2008] NSW LEC 118, Preston CJ clarified the correct approach to dealing with a written request under Clause 4.6 to justify the contravention of a development standard.

In relation to determining the matter under cl 4.6(3)(a), the unreasonable or unnecessary clause, the consent authority must be satisfied that the applicant's written request adequately addresses the matter as opposed to of making its own judgement regarding whether compliance is unreasonable or unnecessary. Additionally, the clause does not require that a non-compliant development should have a neutral or beneficial effect relative to a compliant development.

In relation to determining the matter under cl 4.6(3)(b), the environmental planning grounds clause, non-compliant development is not required to result in a 'better environmental planning outcome for the site' relative to a compliant development. Instead, the requirement is only that there are sufficient environmental planning grounds to justify the development standard contravention.

Council must be satisfied that the written request provided by the applicant under Clause 4.6 addresses both the unreasonable and unnecessary test and demonstrates sufficient environmental planning grounds to justify contravening the development standard. These matters are discussed below.

2.1.4 Unreasonable or Unnecessary Clause 4.6(3)(a)

There are five common methods by which an applicant can demonstrate that compliance with a development standard is unreasonable or unnecessary in the circumstances of the development. Initially proposed for objections under clause 6 of SEPP 1 in the decision of *Wehbe v Pittwater Council [2007]* NSWLEC 827 Pearson C summarised and applied these methods to written requests made under Clause 4.6 in *Four2Five Pty Ltd v Ashfield Council [2015]* NSWLEC 1009 [61-62]. These five methods are generally as follows:

- The objectives of the development standard are achieved notwithstanding non-compliance with the standard.
- The underlying objective or purpose is not relevant to the development.
- That the objective would be defeated or thwarted if compliance was required.
- That the development standard has been virtually abandoned or destroyed by the Council's own actions in departing from the standard.
- The zoning of the land is unreasonable or inappropriate.

It is not required to demonstrate that a development meets multiple methods as listed above, and the satisfaction of one can be adequate to demonstrate that the development standard is unreasonable or unnecessary.

The written request prepared by ICR Design (undated, Council ref: D09175743) provides a detailed assessment of the proposal with respect to the development standard sought to be contravened. The request argues that:

- *The proposed alterations and additions have been designed to work with the cross fall on the site. The proposed encroachment is only minimal and does not become dominant within the streetscape, maintaining the existing architectural character of both the existing dwelling and the locality.*
- *As the proposed encroachment is minor given the site's characteristics, we feel that compliance with the numerical standard is unnecessary in this instance, considering that the proposal represents a building outcome that is appropriate for the site.*
- *As Council had previously approved a number of surrounding developments with similar site characteristics in the locality of North Epping, compliance in this instance could be deemed unreasonable as the precedent has already been set.*
- *Currently, the site contains a residential dwelling. This outcome is not to be altered by the proposal.*
- *As the proposal meets all of the objectives of the zone as well as all but one control of the zone, it is considered to be in the public interest for the proposed works to be approved, as they are consistent with surrounding residential development within the locality.*

Council notes that the objectives of Clause 4.3 'Height of buildings' of the HLEP are as follows:

(a) To permit a height of buildings that is appropriate for the site constraints, development potential and infrastructure capacity of the locality.

With reference to the reasoning provided by the applicant above, Council does not object to the conclusion that the proposed additions meet the objectives of Clause 4.3. In reaching this conclusion the following points are noted:

- The height contravention is largely attributed to the excavation that occurred for the existing garage.
- The overall height of the proposed addition has been stepped down the site, following the topography of the streetscape.
- The bulk proposed addition has been positioned on the site where it will have the least visual and shadowing impacts on the streetscape and adjoining developments.
- The Clause 4.6 variation request includes justification on why the preferred design response is the proposed layout submitted.
- Alternative designs, such as a ground floor extension, would have significant adverse environmental impacts, including loss of open space and vegetation and associated excavation and fill works on a sloping site.

For the reasons outlined above, it is considered that the written request to contravene the height of building standard adequately demonstrates that the objectives of the 8.5m maximum height of buildings development standard contained within Clause 4.3 of the HLEP are achieved, notwithstanding non-compliance with the standard.

Council is therefore satisfied that Clause 4.6(3)(a) of the HLEP is adequately addressed.

2.1.3.2 Environmental Planning Grounds - Clause 4.6(3)(b)

In addition to demonstrating that compliance is unreasonable or unnecessary, Clause 4.6(3)(b) requires that there are sufficient environmental planning grounds to justify contravening the

development standard. In demonstrating that sufficient environmental planning grounds exist it must be demonstrated that the planning grounds are particular to the circumstances of the development on the subject site (summarised from *Four2Five Pty Ltd v Ashfield Council [2015*] NSWLEC 1009 [60].

The applicant provided the following planning grounds for the contravention of the development standard:

- *As the proposed alterations and additions meet the objectives of the majority of the DCP and LEP requirements, compliance with the numerical control in relation to the maximum building height would not represent a beneficial outcome for the owners in this instance.*

  Consideration was given to other design options, principally a single storey extension to the rear of the existing dwelling. This was not considered to be a positive outcome as it:

  1. *Substantially reduces the amount of natural light to the existing kitchen and indoor/outdoor living spaces, and*
  2. *Was not a cost-effective design solution for the additional bedrooms that are required by the owners of the property.*

  As the additional space is predominantly to comprise additional bedrooms, the first floor option is more logical and less disruptive to the existing ground floor layout of the dwelling.

- *The proposed alterations and additions are similar in bulk and scale to numerous other residential developments within the locality of North Epping. As the proposal meets the majority of the objectives and controls of both the LEP and DCP, the ability of the owners to realise a good design outcome would be severely impacted.*

  As previously mentioned, alternative design options were considered, however, the outcome would have compromised solar access to existing indoor/outdoor living spaces within the ground floor area of the dwelling as well as reducing the amount of private open space within the rear yard by a considerable amount.

- *There is no additional adverse impact upon adjoining properties that would result should the application be approved, as the proposed bulk and scale is consistent with that already present within the locality.*

Council considers that the environmental planning grounds stated within the written request are sufficient with respect to Clause 4.6(3)(b) and that the stated grounds are specific to the proposed development and the circumstances of the development site. It is therefore considered that the written request adequately demonstrates compliance with the clause and is acceptable in this regard.

In demonstrating the unreasonable and unnecessary test, the applicant further established satisfactory environmental planning grounds with respect to the site and the surrounding constraints.

Council is therefore satisfied that Clause 4.6(3)(b) of the HLEP is adequately addressed.

Local Planning Panels constituted under the *Environmental Planning and Assessment Act 1979* exercise consent authority functions on behalf of a Council and are not delegates of Council. Therefore, Local Planning Panels may determine a development application notwithstanding, a numerical non-compliance in excess of 10%.

Accordingly, it is considered that the written request satisfactorily responds to the relevant matters required to be addressed under Clause 4.6(3) and that the Panel, as the consent authority, may rely upon the written request and grant consent to the proposed development.

2.1.5 Heritage Conservation

Clause 5.10 of the HLEP sets out heritage conservation provisions for Hornsby Shire. The site does not include a heritage item and is not located in a heritage conservation area. Accordingly, no further assessment regarding heritage is necessary.

2.1.6 Earthworks

Clause 6.2 of the HLEP states that consent is required for proposed earthworks on site. Before granting consent for earthworks, Council is required to assess the impacts of the works on adjoining properties, drainage patterns and soil stability of the locality.

Council's assessment of the proposed works concludes that the proposed dwelling addition would not alter the footprint of the dwelling and is considered unlikely to impact on site stability. It is also noted that the proposed carport would be built over the existing driveway area and no associated earthworks are proposed.

Accordingly, no further assessment regarding earthworks is necessary.

2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The application has been assessed against the requirements of Chapters 2 and 6 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

2.2.1 Chapter 2 Vegetation in Non-Rural Areas

Chapter 2 of this policy aims to protect the biodiversity and amenity values of trees within non-rural areas of the state.

Part 2.3 of the policy states that a Development Control Plan may make a declaration in any manner relating to species, size, location and presence of vegetation. Accordingly, Part 1.2.6.1 of the Hornsby Development Control Plan 2013 (HDCP) prescribes works that can be undertaken with or without consent to trees and objectives for tree preservation.

Section 3.1.1 of this report includes an assessment of vegetation impacts, in accordance with Part 1.2.6.1 Tree Preservation of the HDCP.

2.2.2 Chapter 6 Water Catchments

The site is located with the Sydney Harbour catchment. Chapter 6 contains general planning considerations and strategies requiring Council to consider the impacts of development on water quality and quantity, aquatic ecology, flooding, recreation and public access and total catchment management.

Subject to the implementation of sediment and erosion control measures and stormwater management to protect water quality, the proposal would meet the aims of the Policy.

2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The application has been assessed against the requirements of Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021.

2.3.1 Chapter 4 Remediation of Land

Section 4.6 of the Resilience and Hazard SEPP states that consent must not be granted to the carrying out of any development on land unless the consent authority has considered whether the land is contaminated or requires remediation for the proposed use.

Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land requires remediation to be undertaken to make the land suitable for the proposed use, Council must be satisfied that the land will be remediated before the land is used for that purpose.

An examination of Council's records and aerial photography has determined that the site has been historically used for residential purposes. It is not likely that the site has experienced any significant contamination, and further assessment under Chapter 4 of the Resilience and Hazards SEPP is not required.

2.4 State Environmental Planning Policy (Sustainable Buildings) 2022

The application has been assessed against the requirements of chapter 2 of State Environmental Planning Policy (Sustainable Buildings) 2022 which seeks to encourage the design and delivery of more sustainable buildings.

Chapter 2 sets out the Standards for residential development. The proposal includes a BASIX certificate (Certificate number: A1790942) in accordance with the requirements of the SEPP including the list of commitments to be complied with at the construction stage and during the use of the premises. The BASIX certificate achieves the minimum scores for energy and water use, and thermal performance.

The proposal is acceptable in this regard.

2.5 Section 3.42 Environmental Planning and Assessment Act 1979 - Purpose and Status of Development Control Plans

Section 3.42 of the *Environmental Planning and Assessment Act 1979* states that a DCP provision will have no effect if it prevents or unreasonably restricts development that is otherwise permitted and complies with the development standards in relevant Local Environmental Plans and State Environmental Planning Policies.

The principal purpose of a development control plan is to provide guidance on the aims of any environmental planning instrument that applies to the development; facilitate development that is permissible under any such instrument; and achieve the objectives of land zones. The provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Consent authorities have flexibility to consider innovative solutions when assessing development proposals, to assist achieve good planning outcomes.

2.6 Hornsby Development Control Plan 2024

The proposed development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the Hornsby Development Control Plan 2024 (HDCP). The following table sets out the proposal's compliance with the prescriptive requirements of the Plan:

HDCP – Part 3.1 Dwelling Houses			
Control	**Proposal**	**Requirement**	**Complies**

Site Area	986.4m^2	N/A	N/A
Building Height	9.5m	max. 8.5m	No
No. storeys	2 + basement	max. 2 + attic	Yes
Site Coverage	No change	max. 40%	N/A
Floor Area	242.9m^2	max. 430m^2	Yes
Setbacks (dwelling)			
- *Front (north-east)*	No change	min. 6m	N/A
- *Side (north-west)*			
Ground floor	No change	min. 9m	N/A
First floor	2.5m	min. 1.5m	Yes
- *Side (south-east)*			
Ground floor	No change	min. 0.9m	N/A
First floor	3.4m	min. 1.5m	Yes
- *Rear (south-west)*			
Ground floor	No change	min. 3m	N/A
First floor	30m	min. 8m	Yes
Setbacks (carport)			
- *Front (north-east)*	9.7m	min. 6m	Yes
- *Side (south-east)*	0.9m	min. 0.9m	Yes
Landscaped Area (% of lot size)	>40%	min. 40%	Yes
Private Open Space			
- *minimum area*	No change	24m^2	N/A
- *minimum dimension*	No change	3m	N/A
Car Parking	2 spaces	2 spaces	Yes

As detailed in the above table, the proposed development complies with the prescriptive measures within the HDCP, notwithstanding the proposed height non-compliance. A brief discussion on compliance with relevant performance requirements is provided below and Part 1.3 General Controls are addressed in Section 3 of the report.

2.6.1 Sunlight Access

The desired outcomes of Part 3.1.5 Sunlight Access of the HDCP are to provide reasonable sunlight access to open space areas on development sites and neighbouring sites.

This is supported by prescriptive measures which require residential development to allow a minimum of 3 hours unobstructed sunlight to reach at least 50% of the private open space on the development site and adjoining sites, between 9am and 3pm on 22 June.

The development application includes sunlight access diagrams which show that more than 50% of the subject site's own private open space and the southern adjoining property will continue to receive at least 3 hours of unobstructed sunlight. The proposed development would have no overshadowing impacts on the northern or western adjoining properties.

The proposed development therefore complies with Part 3.1.5 Sunlight Access of the HDCP and is acceptable in this regard.

2.6.2 Privacy

The desired outcome of Part 3.1.6 Privacy of the HDCP is *"development that is designed to provide reasonable privacy to adjacent properties"*.

This is supported by prescriptive measures, including:

a) Living and entertaining areas of dwellings should be located on the ground floor and oriented towards the private open space of the dwelling and not side boundaries.

b) A proposed window in a dwelling should have a privacy screen if:

- *It is a window to a habitable room, other than a bedroom, that has a floor level of more than 1 metre above existing ground level,*
- *The window is setback less than 3 metres from a side or rear boundary, and*
- *The window has a sill height of less than 1.5 metres.*

The proposed first floor addition includes a living room on the first floor.

However, it is noted that this living room faces the rear boundary and is setback more than 30m from the rear adjoining property.

Accordingly, the proposed development would achieve the desired outcome of Part 3.1.6 Privacy of the HDCP and is acceptable in this regard.

2.6.3 Vehicle Access and Parking

The desired outcome of Part 3.1.7 Vehicle Access and Parking of the HDCP is *"development that provides sufficient and convenient parking for residents with vehicular access that is simple, safe, and direct"*.

This is supported by prescriptive measures, including:

a) Car parking for dwellings should be provided behind the front building line.

The proposed development includes construction of a carport over the existing hardstand parking area in front of the dwelling house. This does not comply with prescriptive measure 3.1.7(a).

It is noted that the proposed carport is open walled and flat roofed, is located lower than the street, and would be partially screened from view by existing landscaping on the site. It is also noted that the location of the dwelling on the site prevents alternative improvements to the parking opportunities on the site.

Accordingly, the proposed development would achieve the desired outcome of Part 3.1.7 Vehicle Access and Parking of the HDCP and is acceptable in this regard.

2.7 Section 7.12 Contributions Plan

Hornsby Shire Council Section 7.12 Contributions Plan 2019-2029 applies to the development as the estimated costs of works is greater than $100,000. Should the application be approved, an appropriate condition of consent is recommended requiring the payment of a contribution in accordance with the Plan.

2.8 Housing and Productivity Contribution

The Housing and Productivity Contribution does not apply to the development as it would not result in any additional lots nor any additional floor area for industrial/commercial/retail development. Accordingly, the requirement for a monetary Housing and Productivity contribution is not recommended as a condition of consent.

3. SECTION 4.15(1)(A)(IV) - PROVISIONS OF REGULATIONS

Section 61 of the 2021 EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application, with the following matters being relevant to the proposal:

(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures.

(2) In determining a development application for the carrying out of development on land that is subject to a subdivision order under the Act, Schedule 7, the consent authority must consider—

(a) the subdivision order, and

(b) any development plan prepared for the land by a relevant authority under that Schedule.

(3) In determining a development application for development on the following land, the consent authority must consider the Dark Sky Planning Guideline—

(a) land in the local government area of Coonamble, Gilgandra, Warrumbungle Shire or Dubbo Regional,

(b) land less than 200 kilometres from the Siding Spring Observatory, if the development is—

(i) State significant development, or

(ii) designated development, or

(iii) development specified in State Environmental Planning Policy (Planning Systems) 2021, Schedule 6.

(4) In determining a development application for development for the purposes of a manor house or multi dwelling housing (terraces), the consent authority must consider the Low Rise Housing Diversity Design Guide for Development Applications published by the Department in July 2020.

(5) Subsection (4) applies only if the consent authority is satisfied there is not a development control plan that adequately addresses the development.

(6) In determining a development application for development for the erection of a building for residential purposes on land in Penrith City Centre, within the meaning of Penrith Local Environmental Plan 2010, the consent authority must consider the Development Assessment Guideline: An Adaptive Response to Flood Risk Management for Residential Development in the Penrith City Centre published by the Department on 28 June 2019.

This application proposes the partial demolition for the first floor addition. In recommending consent, Council has imposed specific conditions to ensure that the demolition of structures complies with Australian Standard AS 2601-2001 Demolition of structures.

Subsections (2)-(6) are not required to be considered as part of this application.

Therefore, subject to conditions, Council is satisfied that the application meets the requirements of Clause 61 of the Environmental Planning and Assessment Regulations 2021.

4. ENVIRONMENTAL IMPACTS

Section 4.15(1)(b) of the Act requires Council to consider *"the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality".*

4.1 Natural Environment

4.1.1 Tree Preservation

Part 1.2.6.1 Tree Preservation of the HDCP sets out the requirements for tree protection, including which trees require Council approval prior to removal.

One tree (T5 'Camellia sasanqua') is proposed for removal to accommodate the proposed carport and driveway.

The development application includes an Arboricultural Impact Assessment (AIA) prepared by Hugh the Arborist, dated 19 May 2025. This report notes that T5 is low retention value and capable of being offset with replacement planting. The report also includes recommended protection measures for the trees to be retained.

Conditions of consent are recommended requiring protection works consistent with the recommendations of the AIA.

Subject to the recommended conditions of consent, the proposed development is consistent with Part 1.2.6.1 Tree Preservation of the HDCP and is acceptable in this regard.

4.1.2 Stormwater Management

The desired outcomes of Part 1.3.1.2 Stormwater Management of the HDCP are *"development that protects waterways from erosion, pollution and sedimentation, and maintains or improves water quality and aquatic habitats"* and *"water management systems that minimise the effects of flooding and maintains natural environmental flows"*.

The development application includes a stormwater concept plan prepared by ICR Design, dated 7 March 2025. This plan shows all roof connecting to the existing system, comprising rainwater tanks and an absorption pit.

Subject to the recommended conditions of consent, the proposed development would achieve the desired outcomes of Part 1.3.1.2 Stormwater Management of the HDCP and is acceptable in this regard.

4.1.3 Earthworks and Slope

The desired outcomes of Part 1.3.1.4 Earthworks and Slope of the HDCP include *"development that is designed to respect the natural landform characteristics and protects the stability of land"* and *"development that limits landform modification to maintain the amenity of adjoining properties and streetscape character"*.

These are supported by prescriptive measures, including:

e) Sloping sites with a gradient in excess of 20% require certification from a geotechnical engineer as to the stability of the slope in regard to the proposed design.

The subject site is identified as steep (slope >20%) land.

However, it is noted that the proposed dwelling addition would not alter the footprint of the dwelling and is considered unlikely to impact on site stability. It is also noted that the proposed carport would be built over the existing driveway area, and no associated earthworks are proposed.

Accordingly, the proposed development would achieve the desired outcomes of Part 1.3.1.4 Earthworks and Slope of the HDCP and is acceptable in this regard.

4.2 Built Environment

As previously discussed in Section 2.6 of this report, the proposed alterations and additions would not result in any detrimental impacts to the built environment and the proposal is supported as it is reasonably compatible with the established streetscape and mitigates site-specific amenity conflicts and constraints.

4.3 Social Impacts

The residential development would improve housing choice in the locality by providing a range of household types. This is consistent with Council's Housing Strategy which identifies the need to provide a mix of housing options to meet future demographic needs in Hornsby Shire.

4.4 Economic Impacts

The proposal would have a minor positive impact on the local economy in conjunction with other new low density residential development in the locality by generating an increase in demand for local services.

5. SITE SUITABILITY

Section 4.15(1)(c) of the Act requires Council to consider *"the suitability of the site for the development"*.

The subject site has not been identified as bushfire prone or flood prone land. The site is considered to be capable of accommodating the proposed development. The scale of the proposed development is consistent with the capability of the site and is considered acceptable.

6. PUBLIC PARTICIPATION

Section 4.15(1)(d) of the Act requires Council to consider *"any submissions made in accordance with this Act"*.

6.1 Community Consultation

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between 24 June 2025 to 8 July 2025 in accordance with the Hornsby Community Engagement Plan. During this period, Council did not receive any submissions. The map below illustrates the location of those nearby landowners who were notified.

NOTIFICATION PLAN

PROPERTIES NOTIFIED	**X** SUBMISSIONS RECEIVED	PROPERTY SUBJECT OF DEVELOPMENT	N W E S

7. THE PUBLIC INTEREST

Section 4.15(1)(e) of the Act requires Council to consider *"the public interest"*.

The public interest is an overarching requirement, which includes the consideration of the matters discussed in this report. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the future desired outcomes expressed in environmental planning instruments and development control plans.

The application is considered to have satisfactorily addressed Council's criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Accordingly, it is considered that the approval of the proposed development would be in the public interest.

CONCLUSION

The application proposes alterations and additions to a dwelling house.

The development generally meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979.*

Council did not receive any submissions during the public notification period.

Having regard to the circumstances of the case, approval of the application is recommended.

The reasons for this decision are:

- In accordance with Clause 4.6(4) of the *Hornsby Local Environmental Plan 2013*, Council is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the *Hornsby Local Environmental Plan 2013* that:
    - Compliance with the development standard is both unreasonable and unnecessary in the circumstances of the case, and
    - There are sufficient environmental planning grounds to justify contravening the development standard.
- The proposed development would be in the public interest because it is consistent with the objectives of Clause 4.3 'Height of buildings' development standard and the objectives for development within the zone in which the development is proposed to be carried out.
- The proposed development complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2024 other than building height.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, solar access, amenity or privacy.

Note: At the time of the completion of this planning report, no persons have made a Political Donations Disclosure Statement pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.

CASSANDRA WILLIAMS
Major Development Manager - Development Assessments
Planning and Compliance Division

ROD PICKLES
Manager - Development Assessments
Planning and Compliance Division

Attachments:

1. Clause 4.6 Request
2. Architectural Plans
3. Arboricultural Impact Assessment

File Reference: DA/679/2025
Document Number: D09177709

ITEM 3

SCHEDULE 1

GENERAL CONDITIONS

Condition

1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

Approved Plans

Plan No.	Plan Title	Drawn by	Dated	Council Reference
A.03 Rev D	Site Plan	ICR Design Pty Ltd	21 July 2025	
A.04 Rev D	Demolition Plan	ICR Design Pty Ltd	21 July 2025	
A.07 Rev D	Ground Floor Plan	ICR Design Pty Ltd	21 July 2025	
A.08 Rev D	First Floor Plan	ICR Design Pty Ltd	21 July 2025	
A.09 Rev D	Basement Plan	ICR Design Pty Ltd	21 July 2025	
A.10 Rev D	Roof Plan	ICR Design Pty Ltd	21 July 2025	
A.11 Rev D	Elevations 1 and Materials and Finishes	ICR Design Pty Ltd	21 July 2025	
A.12 Rev D	Elevations 2	ICR Design Pty Ltd	21 July 2025	
A.13 Rev D	Sections 1	ICR Design Pty Ltd	21 July 2025	
A.20 Rev D	Sections 2	ICR Design Pty Ltd	21 July 2025	
A.14 Rev D	Window Schedule	ICR Design Pty Ltd	21 July 2025	
A.15 Rev D	Door Schedule	ICR Design Pty Ltd	21 July 2025	

Supporting Documentation

Document Title	Prepared by	Dated	Council Reference
Arboricultural Impact Assessment	Hugh the Arborist	19 May 2025	D09147320
BASIX Certificate No. A1790942	ICR Design Pty Ltd	8 April 2025	D09147323
Stormwater Concept Plan (Drawing number: SW01, Issue A)	ICR Design Pty Ltd	7 March 2025	D09147333
Waste Management Plan	ICR Design Pty Ltd	10 April 2025	D09147335

Reason: To ensure all parties are aware of the approved plans and supporting documentation that apply to the development.

2. No Clearing of Vegetation

1. Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Construction Certificate.
2. Details demonstrating compliance are to be submitted to the Certifier prior to issue of a Construction Certificate.

Reason: To protect vegetation on the site.

3. Construction Certificate

1. A Construction Certificate is required to be approved by Council or a Principal Certifier prior to the commencement of any construction works under this consent.
2. The Construction Certificate plans must be consistent with the Development Consent plans.

Reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation.

4. Section 7.12 Development Contributions

1. In accordance with Section 4.17(1) of the *Environmental Planning and Assessment Act 1979* and the Hornsby Shire Council Section 7.12 Development Contributions Plan 2019-2029, **$3,319.25** must be paid towards the provision, extension or augmentation of public amenities or public services, based on development costs of **$331,925.00**.
2. The value of this contribution is current as of **28 July 2025**. If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Hornsby Shire Council Section 7.12 Development Contributions Plan and the amount payable will be calculated at the time of payment in the following manner:

$$\$C_{PY} = \frac{\$C_{DC} \times CPI_{PY}}{CPI_{DC}}$$

Where:

$C$$_{PY}$ is the amount of the contribution at the date of Payment.

$C$$_{DC}$ is the amount of the contribution as set out in this Development Consent.

CPI$_{PY}$ is the latest release of the Consumer Price Index (Sydney – All Groups) at the date of Payment as published by the ABS.

CPI$_{DC}$ is the Consumer Price Index (Sydney – All Groups) for the financial quarter at the date of this Development Consent.

3. The monetary contributions shall be paid to Council:
   a) Prior to the issue of the Subdivision Certificate where the development is for subdivision; or
   b) Prior to the issue of the first Construction Certificate where the development is for building work; or
   c) Prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
   d) Prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

Note: Should the cost of works increase at Construction Certificate stage, a revised contribution amount will be calculated in accordance with the Hornsby Shire Council Section 7.12 Development Contributions Plan.

Note: It is the professional responsibility of the Principal Certifier to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Note: In accordance with Ministerial Directions, the payment of contribution fees for development with a cost of works of over $10 million can be deferred to prior to Occupation Certificate.

Note: The Hornsby Shire Council Section 7.12 Development Contributions Plan may be viewed at www.hornsby.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours.

Note: To arrange a Payment Advice for the monetary contributions, please contact Council's Customer Service Team on 9847 6666.

Reason: To address the increased demand for community infrastructure resulting from the approved development.

DEMOLITION AND BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition

5. Building Code of Australia

Detailed plans, specifications and supporting information is required to be submitted to the certifying authority detailing how the proposed building work achieves compliance with the National Construction Code - Building Code of Australia. All building work must be carried out in accordance with the requirements of the National Construction Code - Building Code of Australia.

Reason: Prescribed condition - EP&A Regulation section 69(1).

6. Contract of Insurance (Residential Building Work)

Where residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, this contract of insurance must be in force before any building work authorised to be carried out by the consent commences.

Reason: Prescribed condition EP&A Regulation section 69(2).

7. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifier for the development to which the work relates (not being Council) has given Council written notice of the following information:

1. In the case of work for which a principal contractor is required to be appointed:

   a) The name and licence number of the principal contractor; and

b) The name of the insurer by which the work is insured under Part 6 of that Act.

2. In the case of work to be done by an owner-builder:

a) The name of the owner-builder; and

b) If the owner-builder is required to hold an owner-builder's permit under that Act, the number of the owner-builder's permit.

Note: If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being Council) has given Council written notification of the updated information.

Reason: Prescribed condition EP&A Regulation section 71(2) and (3).

8. Stormwater Drainage – Dwellings

The stormwater drainage system for the development must be designed for an average recurrence interval (ARI) of 20 years and be gravity drained in accordance with the following requirements:

1. Connected to the existing internal drainage system.

2. Roof water must be connected to a rainwater tank having a minimum capacity in accordance with BASIX requirements.

3. The overflow from the rainwater tank and collected surface water must be disposed of in accordance with

AUS-SPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions) and the following requirements:

a) The stormwater drainage system must be designed by a qualified hydraulic engineer.

Reason: To ensure appropriate provision for management and disposal of stormwater.

9. Appointment of a Project Arborist

To ensure the trees that must be retained are protected, a project arborist with AQF Level 5 qualifications must be appointed to assist in ensuring compliance with the conditions of consent and provide monitoring reports as specified by the conditions of consent.

Details of the appointed project arborist must be submitted to Council and the PCA with the application for the construction certificate/subdivision works certificate.

Reason: To ensure appropriate monitoring of tree(s) to be retained.

BEFORE DEMOLITION OR BUILDING WORK COMMENCES

Condition

10. Site Sign

1. A sign must be erected in a prominent position on any site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing:

a) The name, address, and telephone number of the Principal Certifier.

b) The name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and

c) Unauthorised entry to the work site is prohibited.

2. The sign must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed.

Reason: Prescribed condition EP&A Regulation, section 70(2) and (3).

11. Protection of Adjoining Areas

1. A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

a) Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic.

b) Could cause damage to adjoining lands by falling objects; and/or

c) Involve the enclosure of a public place or part of a public place; and/or

d) Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP); and.

2. Council's separate written approval is required prior to the erection of any temporary hoarding, fence or awning on or over public land. The erection of a hoarding must be applied for via Council's Online Services Portal together with details showing the location and type of hoarding.

Note: The Hoarding/ Temporary Fencing application must be lodged via Council's Online Services Portal at:

https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx and by selecting the following menu options: My Applications > New Applications > Under 'Application Types': Hoarding/ Temporary Fencing Applications.

3. Where any part of the road or footpath is required to be occupied or closed during any stage of works, including demolition, excavation, construction or remediation, a temporary full / partial road or footpath closure permit must be approved by Council. The permit must be applied for via Council's Online Services Portal.

Note: A Temporary Road/ Footpath Closure application must be lodged via Council's Online Services Portal at:

https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx and by selecting the following menu options: Under 'Roads, Traffic and Parking': Temporary Full/ Partial Road Closure.

Reason: To ensure public safety and protection of adjoining land.

12. Toilet Facilities

1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.
2. Each toilet must:
   a) Be a standard flushing toilet connected to a public sewer; or
   b) Be a temporary chemical closet approved under the *Local Government Act 1993; or*
   c) Have an on-site effluent disposal system approved under the *Local Government Act 1993.*

Reason: To ensure adequate toilet facilities are provided.

13. Erosion and Sediment Control Measures

Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water, or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:

1. The publication Managing Urban Stormwater: Soils and Construction 2004 (4th edition) - 'The Blue Book'.
2. Protection of the *Environment Operations Act 1997*.
3. The approved plans.

Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above.

Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure in how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.

Reason: To minimise impacts on the water quality of the downstream environment.

14. Installation of Tree Protection Measures

Trees to be retained and numbered T1, T2, T3, T4, T6, T7, and T8 as identified in the Arboricultural Impact Assessment prepared by Hugh the Arborist, dated 19 May 2025 must have tree protection measures for the ground, trunk and canopy installed by the project arborist as follows:

1. For the duration of demolition and construction works, in accordance with Appendix 1A Tree Protection Plan of the Arboricultural Impact Assessment prepared by Hugh the Arborist, dated 19 May 2025.
2. Tree protection fencing for the trees to be retained must be installed by the engaged AQF 5 project arborist and consist of 1.8m high temporary fencing panels installed in

accordance with Australian Standard AS4687-2007 Temporary fencing and hoardings.

3. The installation of all required tree protection fencing must include shade cloth attached to the fencing to reduce transport of dust, particulates, and liquids from entering the tree protection zone.

4. The circumference of the trunk(s) must be wrapped in hessian material to provide cushioning for the installation of timber planks.

5. Timber planks (50 x100mm) must be spaced at 100mm intervals and must be attached using adjustable ratchet straps.

6. All tree protection zones must have a layer of wood-chip mulch at a depth of between 150mm and 300mm.

7. Where wood-chip mulch is permitted by Council instead of tree protection fencing within the tree protection zones, the woodchip must be covered with a layer of geotextile fabric and rumble boards.

Reason: To protect trees during construction.

15. Garbage Receptacle

A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.

1. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

2. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.

3. Food scraps must be placed in the garbage receptacle and not in demolition and construction waste bins.

Reason: To maintain the site in a clean condition and protect local amenity.

DURING DEMOLITION AND BUILDING WORK

Condition

16. Hours of Work

1. All work on site (including remediation, demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday.

2. No work is to be undertaken on Sundays or public holidays.

Reason: To protect the amenity of neighbouring properties.

17. Demolition

To protect the surrounding environment, all demolition work must be carried out in accordance with Australian Standard AS2601-2001 Demolition of structures and the following requirements:

1. Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan; and
2. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by SafeWork NSW in accordance with the Work Health and Safety Regulation 2017 and be appropriately transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014; and
3. On construction sites where any building contains asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street.

Reason: To ensure the appropriate removal and disposal of demolition materials.

18. Environmental Management (Air Pollution)

The Applicant must take all reasonable steps to minimise dust generated during all works (including remediation, demolition, earthworks and construction) authorised by this consent. During works, the Applicant must ensure that:

1. Exposed surfaces and stockpiles are suppressed by regular watering.
2. All trucks entering or leaving the site with loads have their loads covered.
3. Trucks associated with the development do not track dirt onto the public road network.
4. Public roads used by these trucks are kept clean; and
5. Land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Reason: To minimise impacts to the natural environment and public health.

19. Council Property

To ensure that the public reserve is kept in a clean, tidy, and safe condition during remediation, demolition, excavation and construction works:

1. No building materials, skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the development shall be stored or placed on Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the *Roads Act 1993*.
2. All work, loading and unloading associated with the development are to occur entirely within the property boundaries, unless otherwise approved by Council under section 138 of the *Roads Act 1993*.

Reason: To protect public land.

20. Disturbance of Existing Site

During construction works, the existing ground levels of open space areas and natural landscape features, including natural rock-outcrops, vegetation, soil, and watercourses must not be altered unless otherwise nominated on the approved plans.

Reason: To protect the natural features of the site.

21. Landfill Not Permitted

The importation of fill material associated with earthworks, or structural or engineering works, is not permitted as part of this consent.

Reason: To minimise environmental impacts from landform modification.

22. Removal of Trees

1. This development consent permits the removal of tree numbered T5 as identified in the Arboricultural Impact Assessment prepared by Hugh the Arborist dated 19 May 2025.
2. No consent is granted for the removal of trees numbered T1, T2, T3, T4, T6, T7, and T8 as these trees contribute to the established landscape amenity of the area/streetscape.

Note: The removal of any other trees from the site requires separate approval by Council in accordance with Part 1.2.6 Tree and Vegetation Preservation of the Hornsby Development Control Plan 2024.

Reason: To identify only those trees permitted to be removed.

23. Survey Report

A report(s) must be prepared by a registered surveyor and submitted to the Principal Certifier:

1. Prior to the pouring of concrete at each level of the building certifying that:
   a) The building, retaining walls and the like have been correctly positioned on the site; and
   b) The finished floor level(s) are in accordance with the approved plans.

Reason: To ensure buildings are positioned in the approved location and at the correct height.

24. Waste Management

All work must be carried out in accordance with the approved waste management plan.

Reason: To ensure the management of waste to protect the environment and local amenity during construction.

25. Prohibited Actions within the Fenced Tree Protection Zone

The following activities are prohibited within the approved fenced tree protection zones unless otherwise approved by Council:

1. Soil cutting or filling, including excavation and trenching.
2. Soil cultivation, disturbance, or compaction.
3. Stockpiling storage or mixing of materials.
4. The parking, storing, washing, and repairing of tools, equipment, and machinery.
5. The disposal of liquids and refuelling.

6. The disposal of building materials.

7. The siting of offices or sheds.

8. Any action leading to the impact on tree health or structure.

Reason: To protect trees during construction.

26. Maintaining the Health of Trees Approved for Retention

The appointed project arborist must monitor and record any and all necessary actions required to maintain tree health and condition for trees to be retained.

Reason: To ensure appropriate monitoring of tree(s) to be retained.

27. Maintaining Tree Protection Measures

Tree Protection Measures must be maintained by the project arborist in accordance with the conditions of this consent for the duration of works.

Reason: To protect trees during construction.

28. Approved Works within Tree Protection Zone Incursions

1. Where tree root pruning is required for the installation of piers, driveway or underground services, the pruning must be overseen by the AQF 5 project arborist and must be undertaken as follows:
   a) Using sharp secateurs, pruners, handsaws, or chainsaws with the final cut being clean.
   b) The maximum diameter of roots permitted to be cut is 30mm.
2. No changes of grade within the Tree Protection Zone of trees to be retained on the approved plans, are permitted.
3. To minimise impacts within the Tree Protection Zone (TPZ) of trees to be retained, the installation of services must be undertaken as follows:
   a) The AQF 5 project arborist must be present to oversee the installation of any underground services which enter or transect the tree protection.
   b) The installation of any underground services which either enter or transect the designated TPZ must be undertaken manually.
   c) For manually excavated trenches the AQF 5 project arborist must designate roots to be retained. Manual excavation may include the use of pneumatic and hydraulic tools.
4. Where scaffolding is required, ground protection must be installed beneath the scaffolding in the following order:
   a) Installation of a 100mm deep layer of woodchip.
   b) Installation of geotextile fabric ground covering.
   c) Installation of scaffold boarding above the woodchip and geotextile fabric.

Reason: To protect trees during construction.

29. Building Materials and Site Waste

The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.

Reason: To protect trees during construction.

30. Unexpected Finds

Should the presence of asbestos or soil contamination, not recognised during the application process be identified during any stage of works, the applicant must immediately notify the Principal Certifier and Council (compliance@hornsby.nsw.gov.au).

Reason: To ensure the appropriate removal and disposal of contaminated materials.

31. Erosion and Sediment Control

1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land.
2. The person having the benefit of this consent must ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site.

Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.

Reason: To minimise impacts on neighbouring properties and public land.

32. Storage and Removal of Waste

1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.
2. All garbage and recyclable materials generated during work must be stored in a waste receptable and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.

Reason: To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition

33. Fulfilment of BASIX Commitments

The applicant must demonstrate the fulfilment of BASIX commitments pertaining to the development.

Reason: Prescribed condition under section 75. EP&A Regulation.

34. Final Certification by Project Arborist

The AQF 5 Project arborist must submit to the Principal Certifier a certificate that includes the following:

1. All tree protection requirements complied with the as approved tree protection plan for the duration of demolition and/or construction works; and
2. All completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans; and
3. Dates, times, and reasons for all site attendance; and
4. All works undertaken to maintain the health of retained trees; and
5. Details of tree protection zone maintenance for the duration of works.

Note: Copies of monitoring documentation may be requested throughout the development works.

Reason: To ensure compliance with tree protection commitments.

35. Damage to Council Assets

To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with AUS-SPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions. Rectification works must be undertaken prior to the issue of an Occupation Certificate, or sooner, as directed by Council.

Reason: To ensure public infrastructure and property is maintained.

- END OF CONDITIONS -

ICR DESIGN BUILDING DESIGNERS
BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA
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ATTACHMENT 1 - ITEM 3

Clause 4.6 Variation for 4 Eastcote Road, North Epping

Introduction

This Clause 4.6 Variation is being sought in relation to proposed alterations and additions to the existing dwelling located at 4 Eastcote Road, North Epping.

1. What is the name of the environmental planning instrument that applies to the land?

Response:

The Environmental Planning Instrument that applies to the land is the Hornsby Local Environmental Plan 2013.

2. What is the zoning of the land and what are the objectives of the zone?

Response:

The land is located within Zone R2 Low Density Residential.

Objectives of Zone R2:
- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

3. Identify the Development Standard to which this Clause 4.6 Variation applies?

Response:
The development standard to which this Clause 4.6 Variation applies is Clause 4.3 Height of buildings.

4. What are the objectives of the development standard?

Response:

(1) The objectives of this clause are as follows—
  (a) to permit a height of buildings that is appropriate for the site constraints, development potential and infrastructure capacity of the locality.
(2) The height of a building on any land is not to exceed the maximum height shown for the land on the *Height of Buildings Map*.

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5. What is the numeric value of the development standard in the environmental planning instrument?

Response:

The allowable building height for this site in the Local Environment Plan is set at 8.5m above existing ground level.

The architectural plans for this proposal indicate the areas and extent of the proposed variation.

6. How do the existing and proposed numeric values relate to the development standard? What is the percentage variation (between your proposal and the environmental planning instrument)?

Response:

Height of Building			
Current Height of Building (m)	Maximum Height of Building under HLEP2013 (m)	Proposed Height of Building (m)	Percentage Variation
6.8m at the point of the proposed encroachment	8.5m	9.457m at the point of the proposed encroachment	11%

7. How is compliance with the development standard unreasonable or unnecessary in in the circumstances of this particular case?
Response:

Test 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard:
The proposed alterations and additions have been designed to work with the cross fall on the site. The proposed encroachment is only minimal and does not become dominant within the streetscape, maintaining the existing architectural character of both the existing dwelling and the locality.

Test 2: The underlying object or purpose of the standard is not relevant to the development and compliance is unnecessary:
As the proposed encroachment is minor given the site's characteristics, we feel that compliance with the numerical standard is unnecessary in this instance, considering that the proposal represents a building outcome that is appropriate for the site.

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Test 3: The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable:
As the proposed alterations and additions meet the objectives of the majority of the DCP and LEP requirements, compliance with the numerical control in relation to the maximum building height would not represent a beneficial outcome for the owners in this instance.

Consideration was given to other design options, principally a single storey extension to the rear of the existing dwelling. The is was not considered to be a positive outcome as it:

1. Cut a substantial amount of natural light to the existing kitchen and indoor/outdoor living spaces, and
2. Was not a cost-effective design solution for the additional bedrooms that are required by the owners of the property.

As the additional space is predominantly to comprise additional bedrooms, the first floor option is more logical and less disruptive to the existing ground floor layout of the dwelling.

Test 4: The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable:
As Council had previously approved a number of surrounding developments with similar site characteristics in the locality of North Epping, compliance in this instance would could be deemed unreasonable as the precedent has already been set. Please refer to the following examples:

12 Eastcote Road, North Epping

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59 Eastcote Road, North Epping

Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone:
As previously described, the proposed alterations and additions are similar in bulk and scale to numerous other residential developments within the locality of North Epping. As the proposal meets the majority of the objectives and controls of both the LEP and DCP, the ability of the owners to realise a good design outcome would be severely impacted.

As previously mentioned, alternative design options were considered, however, the outcome would have compromised solar access to existing indoor/outdoor living spaces within the ground floor area of the dwelling as well as reducing the amount of private open space within the rear yard by a considerable amount.

Given the cross fall on the site, a first floor option was considered to be a more economical design solution that delivered the outcome the owners require to make the best use of their home.

8. Are there sufficient environmental planning grounds to justify contravening the development standard?
Response:

The proposed alterations and additions are consistent with surrounding development that has previously been approved by Council via Development Consent.

The proposed alterations and additions meet the objectives of the standard and are consistent with surrounding development previously approved by Council. As the proposed encroachment into the building height plane is minimal, with remainder of the

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design meeting the LEP and DCP requirement, compliance with the control would seem too onerous in this instance.

As such, there is no additional adverse impact upon adjoining properties that would result should the application be approved, as the proposed bulk and scale is consistent with that already present within the locality.

9. Is the proposed development, despite the contravention to the development standard, in the public interest?

Response:

Currently, the site contains a residential dwelling. This outcome is not to be altered by the proposal.

As the proposal meets all of the objectives of the zone as well as all but one control of the zone, it is considered to be in the public interest for the proposed works to be approved, as they are consistent with surrounding residential development within the locality.

10. Is there any other relevant information to be considered in order to justify varying the development standard?

Response:

The proposed alterations and additions represent an outcome that is consistent with surrounding residential development within the locality of North Epping.

Consideration of the additional burden of increasing construction costs should be taken into account. In order to provide a cost effective outcome, the first floor option provided the best return on investment for the owners of the property.

We consider that a Clause 4.6 variation is justified in order to allow for reasonable redevelopment of the existing dwelling that is generally consistent with Council's development controls for the zone, and is in character with surrounding residential development.

ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

LOT 4 DP 27760

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
A	08.04.2025	DA APPROVAL ISSUE

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Project: ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title: **COVER PAGE**

Drawing status: DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	1:20 @ A3

Job number	Drawing number	Issue
24040	A.01	D

ATTACHMENT 2 - ITEM 3

1. FALLS, SLIPS, TRIPS

a) WORKING AT HEIGHTS

DURING CONSTRUCTION

Wherever possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres. However, construction of this building will require workers to be working at heights where a fall in excess of two metres is possible and injury is likely to result from such a fall. The builder should provide a suitable barrier wherever a person is required to work in a situation where falling more than two metres is a possibility.

DURING OPERATION OR MAINTENANCE

For houses or other low-rise buildings where scaffolding is appropriate:
Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, ladders or trestles should be used in accordance with relevant codes of practice, regulations or legislation.
For buildings where scaffold, ladders, trestles are not appropriate:
Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, fall barriers or Personal Protective Equipment (PPE) should be used in accordance with relevant codes of practice, regulations or legislation.

ANCHORAGE POINTS

Anchorage points for portable scaffold or fall arrest devices have been included in the design for use by maintenance workers. Any persons engaged to work on the building after completion of construction work should be informed about the anchorage points.

b) SLIPPERY OR UNEVEN SURFACES

FLOOR FINISHES Specified

If finishes have been specified by designer, these have been selected to minimise the risk of floors and paved areas becoming slippery when wet or when walked on with wet shoes/feet. Any changes to the specified finish should be made in consultation with the designer or, if this is not practical, surfaces with an equivalent or better slip resistance should be chosen.

FLOOR FINISHES By Owner

If designer has not not been involved in the selection of surface finishes, the owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building. Surfaces should be selected in accordance with AS HB 197:1999 and AS/NZ 4586:2004.

STEPS, LOOSE OBJECTS AND UNEVEN SURFACES

Due to design restrictions for this building, steps and/or ramps are included in the building which may be a hazard to workers carrying objects or otherwise occupied. Steps should be clearly marked with both visual and tactile warning during construction, maintenance, demolition and at all times when the building operates as a workplace.
Building owners and occupiers should monitor the pedestrian access ways and in particular access to areas where maintenance is routinely carried out to ensure that surfaces have not moved or cracked so that they become uneven and present a trip hazard.
Spills, loose material, stray objects or any other matter that may cause a slip or trip hazard should be cleaned or removed from access ways.
Contractors should be required to maintain a tidy work site during construction, maintenance or demolition to reduce the risk of trips and falls in the workplace. Materials for construction or maintenance should be stored in designated areas away from access ways and work areas.

2. FALLING OBJECTS

LOOSE MATERIALS OR SMALL OBJECTS

Construction, maintenance or demolition work on or around this building is likely to involve persons working above ground level or above floor levels. Where this occurs one or more of the following measures should be taken to avoid objects falling from the area where the work is being carried out onto persons below.

1. Prevent or restrict access to areas below where the work is being carried out.
2. Provide toeboards to scaffolding or work platforms.
3. Provide protective structure below the work area.
4. Ensure that all persons below the work area have Personal Protective Equipment (PPE).

BUILDING COMPONENTS

During construction, renovation or demolition of this building, parts of the structure including fabricated steelwork, heavy panels and many other components will remain standing prior to or after supporting parts are in place. Contractors should ensure that temporary bracing or other required support is in place at all times when collapse which may injure persons in the area is a possibility.

Mechanical lifting of materials and components during construction, maintenance or demolition presents a risk of falling objects. Contractors should ensure that appropriate lifting devices are used, that loads are properly secured and that access to areas below the load is prevented or restricted.

3. TRAFFIC MANAGEMENT

For building on a major road, narrow road or steeply sloping road:
Parking of vehicles or loading/unloading of vehicles on this roadway may cause a traffic hazard. During construction, maintenance or demolition of this building designated parking for workers and loading areas should be provided. Trained traffic management personnel should be responsible for the supervision of these areas.
For building where on-site loading/unloading is restricted:
Construction of this building will require loading and unloading of materials on the roadway. Deliveries should be well planned to avoid congestion of loading areas and trained traffic management personnel should be used to supervise loading/unloading areas.
For all buildings:
Busy construction and demolition sites present a risk of collision where deliveries and other traffic are moving within the site. A traffic management plan supervised by trained traffic management personnel should be adopted for the work site.

4. SERVICES

GENERAL

Rupture of services during excavation or other activity creates a variety of risks including release of hazardous material. Existing services are located on or around this site. Where known, these are identified on the plans but the exact location and extent of services may vary from that indicated. Services should be located using an appropriate service (such as Dial Before You Dig), appropriate excavation practice should be used and, where necessary, specialist contractors should be used.
Locations with underground power:
Underground power lines MAY be located in or around this site. All underground power lines must be disconnected or carefully located and adequate warning signs used prior to any construction, maintenance or demolition commencing.
Locations with overhead power lines:
Overhead power lines MAY be near or on this site. These pose a risk of electrocution if struck or approached by lifting devices or other plant and persons working above ground level. Where there is a danger of this occurring, power lines should be, where practical, disconnected or relocated. Where this is not practical adequate warning in the form of bright coloured tape or signage should be used or a protective barrier provided.

5. MANUAL TASKS

Components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device. Where this is not practical, suppliers or fabricators should be required to limit the component mass.
All material packaging, building and maintenance components should clearly show the total mass of packages and where practical all items should be stored on site in a way which minimises bending before lifting. Advice should be provided on safe lifting methods in all areas where lifting may occur.
Construction, maintenance and demolition of this building will require the use of portable tools and equipment. These should be fully maintained in accordance with manufacturer's specifications and not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag.
All safety guards or devices should be regularly checked and Personal Protective Equipment should be used in accordance with manufacturer's specification.

6. HAZARDOUS SUBSTANCES

ASBESTOS

For alterations to a building constructed prior to 1990:
If this existing building was constructed prior to:
1990 - it therefore may contain asbestos
1986 - it therefore is likely to contain asbestos
either in cladding material or in fire retardant insulation material. In either case, the builder should check and, if necessary, take appropriate action before demolishing, cutting, sanding, drilling or otherwise disturbing the existing structure.

POWDERED MATERIALS

Many materials used in the construction of this building can cause harm if inhaled in powdered form. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation while using powdered material or when sanding, drilling, cutting or otherwise disturbing or creating powdered material.

TREATED TIMBER

The design of this building may include provision for the inclusion of treated timber within the structure. Dust or fumes from this material can be harmful. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation of harmful material when sanding, drilling, cutting or using treated timber in any way that may cause harmful material to be released. Do not burn treated timber.

VOLATILE ORGANIC COMPOUNDS

Many types of glue, solvents, spray packs, paints, varnishes and some cleaning materials and disinfectants have dangerous emissions. Areas where these are used should be kept well ventilated while the material is being used and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully

SYNTHETIC MINERAL FIBRE

Fibreglass, rockwool, ceramic and other material used for thermal or sound insulation may contain synthetic mineral fibre which may be harmful if inhaled or if it comes in contact with the skin, eyes or other sensitive parts or the body. Personal Protective Equipment including protection against inhalation of harmful material should be used when installing, removing or working near bulk insulation material.

TIMBER FLOORS

This building may contain timber floors which have an applied finish. Areas where finishes are applied should be kept well ventilated during sanding and application and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.

7. CONFINED SPACES

EXCAVATION

Construction of this building and some maintenance on the building will require excavation and installation of items within excavations. Where practical, installation should be carried out using methods which do not require workers to enter the excavation. Where this is not practical, adequate support for the excavated area should be provided to prevent collapse. Warning signs and barriers to prevent accidental or unauthorised access to all excavations should be provided.

ENCLOSED SPACES

For buildings with enclosed spaces where maintenance or other access may be required:
Enclosed spaces within this building may present a risk to persons entering for construction, maintenance or any other purpose. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter enclosed spaces, air testing equipment and Personal Protective Equipment should be provided.

SMALL SPACES

For buildings with small spaces where maintenance or other access may be required:
Some small spaces within this building will require access by construction or maintenance workers. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter small spaces they should be scheduled so that access is for short periods. Manual lifting and other manual activity should be restricted in small spaces.

8. PUBLIC ACCESS

Public access to construction and demolition sites and to areas under maintenance causes risk to workers and public. Warning signs and secure barriers to unauthorised access should be provided. Where electrical installations, excavations, plant or loose materials are present they should be secured when not fully supervised.

9. OPERATIONAL USE OF BUILDING

RESIDENTIAL BUILDINGS

This building has been designed as a residential building. If it, at a later date, it is used or intended to be used as a workplace, the provisions of the Work Health and Safety Act 2011 or subsequent replacement Act should be applied to the new use.

NON-RESIDENTIAL BUILDINGS

For non-residential buildings where the end-use is known:
This building has been designed for the specific use as identified on the drawings. Where a change of use occurs at a later date a further assessment of the workplace health and safety issues should be undertaken.

10.OTHER HIGH RISK ACTIVITY

All electrical work should be carried out in accordance with Code of Practice: Managing Electrical Risks at the Workplace, AS/NZ 3012 and all licensing requirements.
All work using Plant should be carried out in accordance with Code of Practice: Managing Risks of Plant at the Workplace.
All work should be carried out in accordance with Code of Practice: Managing Noise and Preventing Hearing Loss at Work.
Due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction and concrete placement. All the above applies.

THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (but is not excluded to): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
A	08.04.2025	DA APPROVAL ISSUE

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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

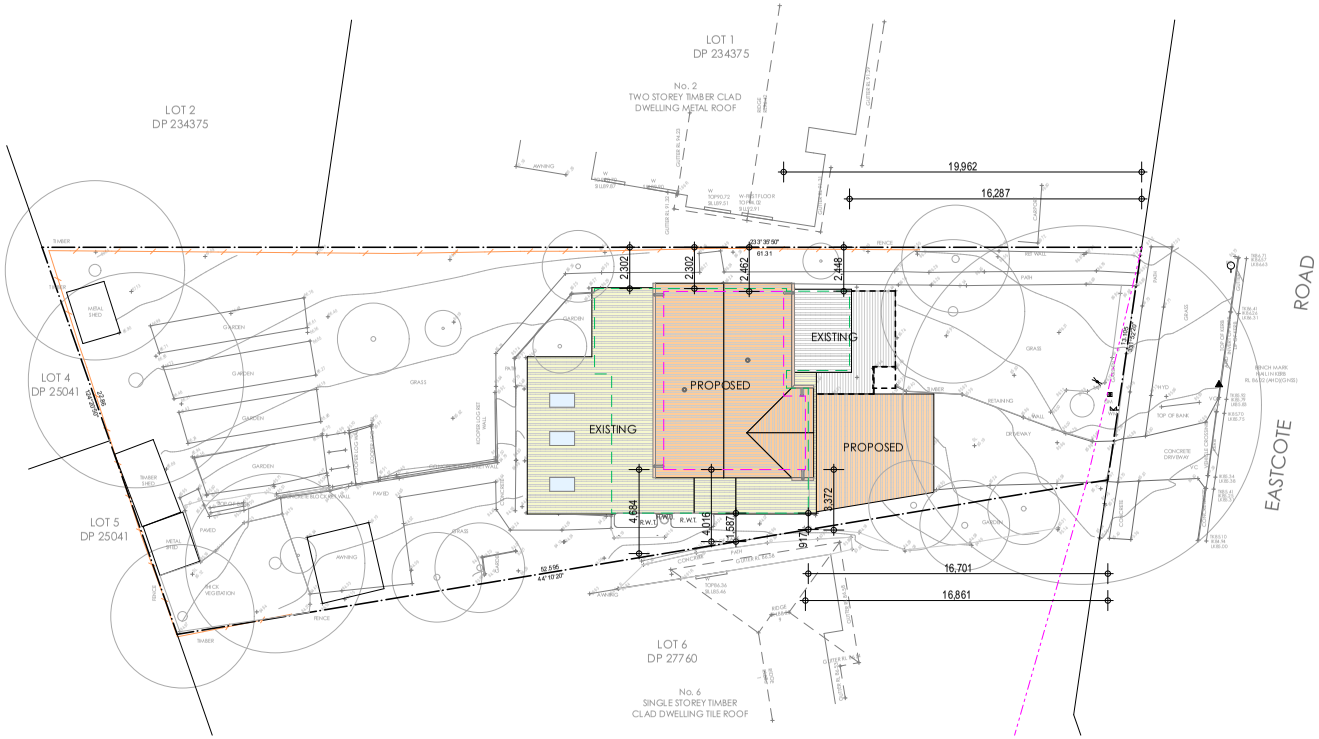
Drawing title
SAFETY NOTES

Drawing status
DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	@ A3

Job number	Drawing number	Issue
24040	A.02	D

ATTACHMENT 2 - ITEM 3



SITE PLAN

SCALE 1:250

GENERAL NOTES

1. ONLY FIGURED DIMENSIONS ARE TO BE USED. DO NOT SCALE DIMENSIONS FROM THESE DRAWINGS.
2. ALL FIGURED DIMENSIONS ARE TO BE CONFIRMED ON SITE BY THE BUILDER PRIOR TO THE COMMENCEMENT OF ANY WORK.
3. ALL FINISHED LEVELS ARE TO AN ASSUMED DATUM. ALL LEVELS TO BE CONFIRMED ON SITE BY THE BUILDER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
4. ALL WORKMANSHIP, MATERIALS AND CONSTRUCTION TO BE IN ACCORDANCE WITH ALL RELEVANT BUILDING CODES AND STANDARDS. ALL LOCAL COUNCIL REQUIREMENTS ARE TO BE STRICTLY ADHERED TO.
5. ALL SERVICES AND UTILITIES ARE TO BE IDENTIFIED BY THE BUILDER PRIOR TO THE COMMENCEMENT OF ANY WORK.
6. OPENING SIZES ARE NOMINAL ONLY AND ARE TO BE ADJUSTED TO SUIT INDIVIDUAL MANUFACTURER'S REQUIREMENTS.
7. ALL FLASHING AND WATERPROOFING TO BE PROVIDED BY THE BUILDER.
8. ALL NEW DOWNPIPES ARE TO BE CONNECTED TO THE EXISTING SITE STORMWATER SYSTEM.

SITE STATISTICS

DESCRIPTION	AREA m²
SITE SIZE	986.4
FLOOR SPACE GRND FLR (EXISTING)	138.79
FLOOR SPACE FF (PROPOSED)	61.93
BASEMENT (EXISTING)	11
GARAGE (EXISTING)	15.96
DECKING (EXISITING)	18.83
DECKING 2 (EXISTING)	39.49
STORE (EXISTING)	23.76
FSR (EXISTING)	0.15:1 (149.79)
FSR (PROPOSED)	0.21:1 (211.72)
SITE COVERAGE (EXISTING)	209.06 (21%)
SITE COVERAGE (PROPOSED)	209.06 (21%)

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title **SITE PLAN**

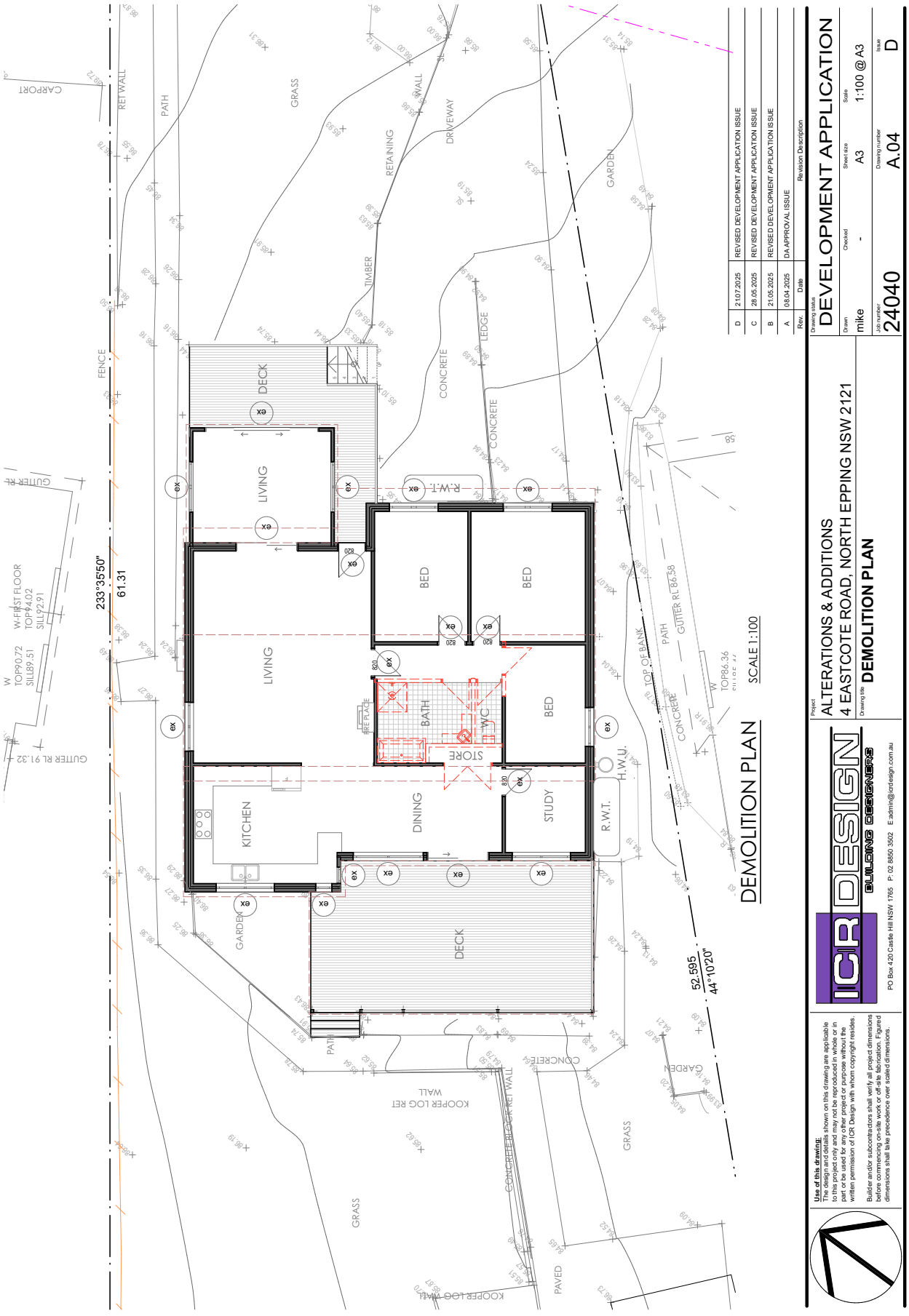
Drawing status
DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	1:250 @ A3

Job number	Drawing number	Issue
24040	A.03	D

ATTACHMENT 2 - ITEM 3

ATTACHMENT 2 - ITEM 3



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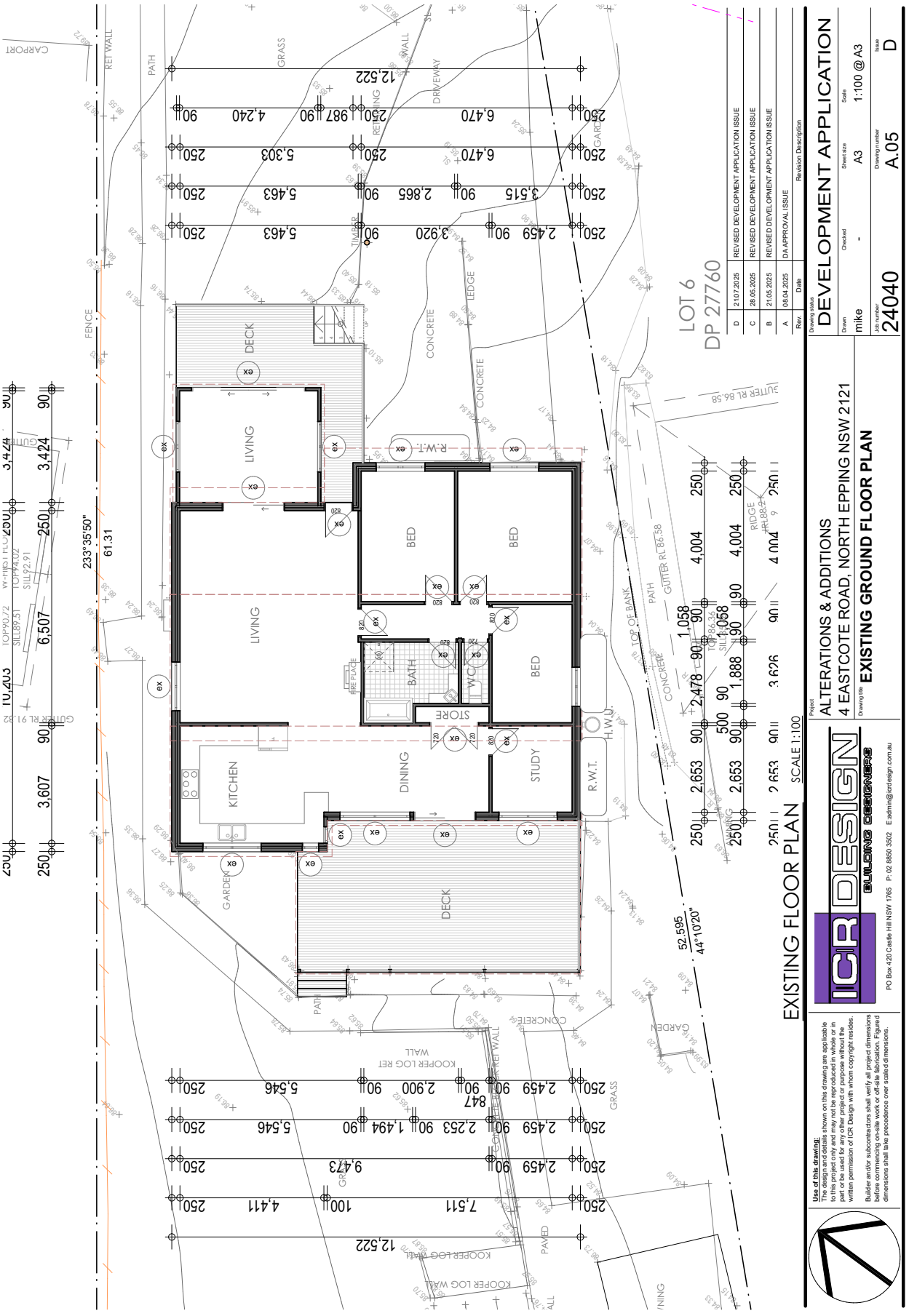

Rev.	Date	Revision Description
A	08.04.2025	DA APPROVAL ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
D	2.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE

Drawing status: DEVELOPMENT APPLICATION

Drawn: mike | Checked: - | Sheet size: A3 | Scale: 1:100 @ A3

Job number: 24040 | Drawing number: A.05 | Issue: D

Project: ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title: EXISTING GROUND FLOOR PLAN

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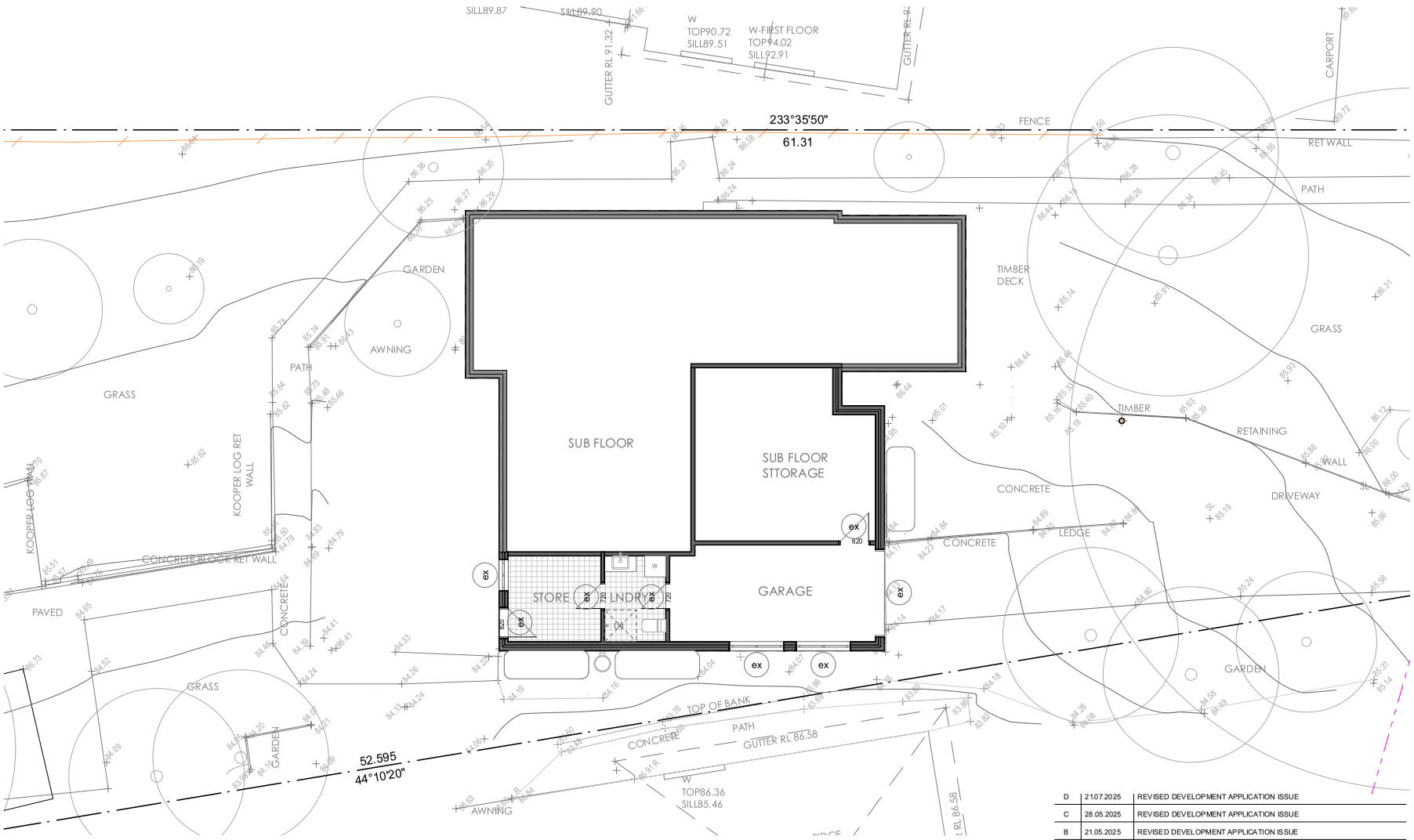

EXISTING BASEMENT PLAN SCALE 1:100

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
A	08.04.2025	DA APPROVAL ISSUE

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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title
EXISTING BASEMENT PLAN

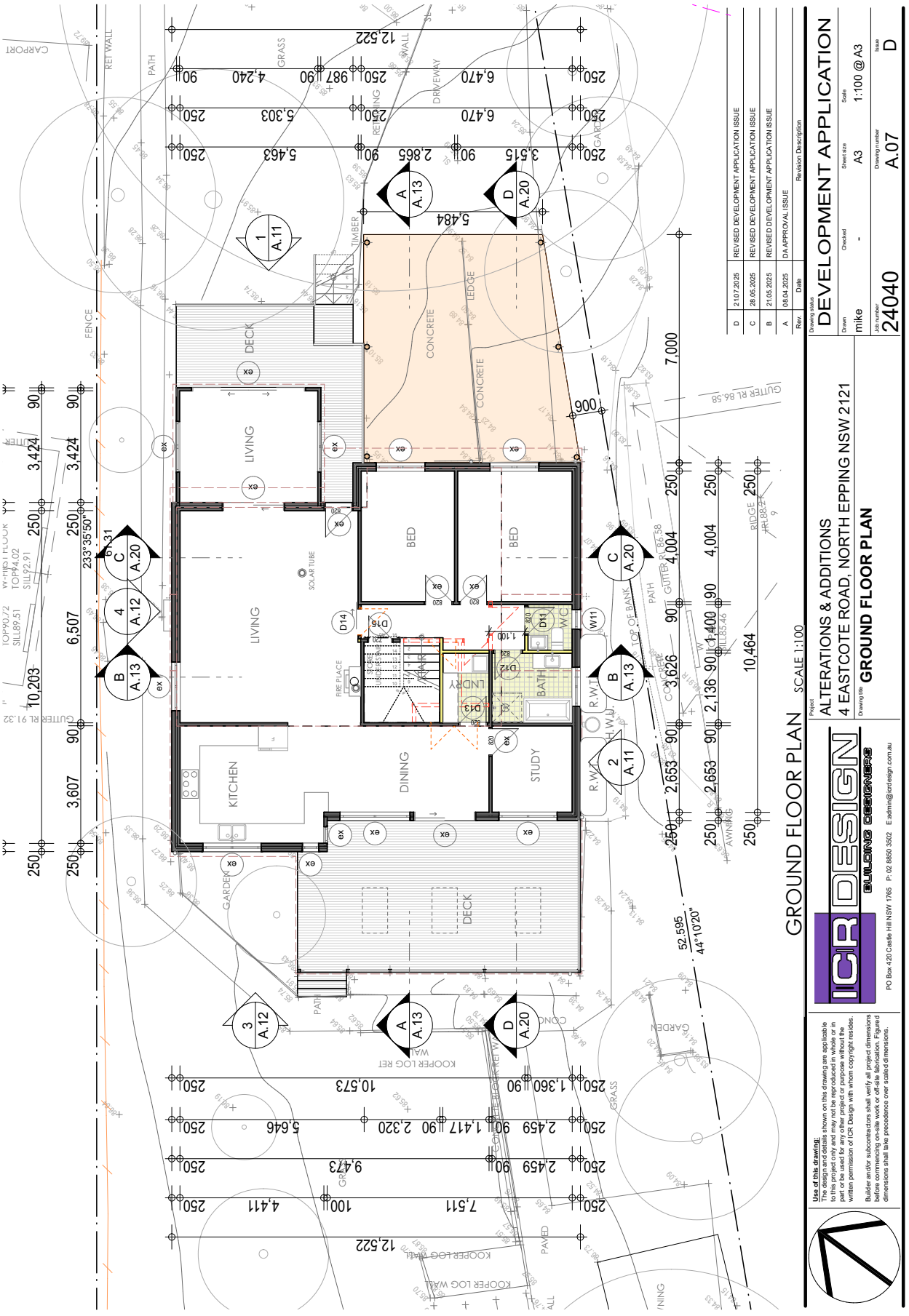
Drawing status
DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	1:100 @ A3

Job number	Drawing number	Issue
24040	A.06	D

ATTACHMENT 2 - ITEM 3

ATTACHMENT 2 - ITEM 3



Rev.	Date	Revision Description
A	08.04.2025	DA APPROVAL ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE

Drawing status: DEVELOPMENT APPLICATION

Drawn: mike | Checked: - | Sheet size: A3 | Scale: 1:100 @ A3

Job number: 24040 | Drawing number: A.07 | Issue: D

Project: ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title: GROUND FLOOR PLAN

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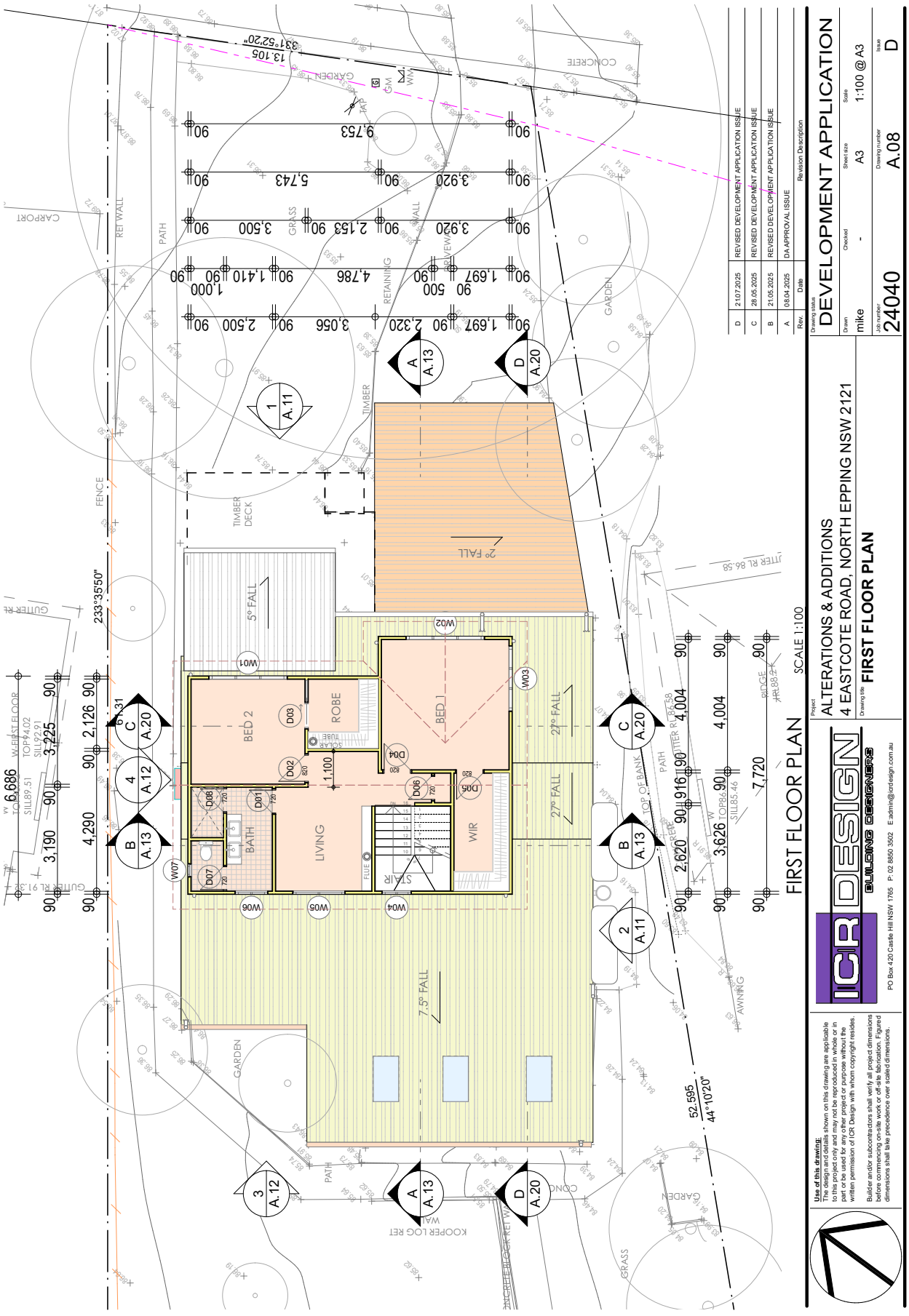
ATTACHMENT 2 - ITEM 3



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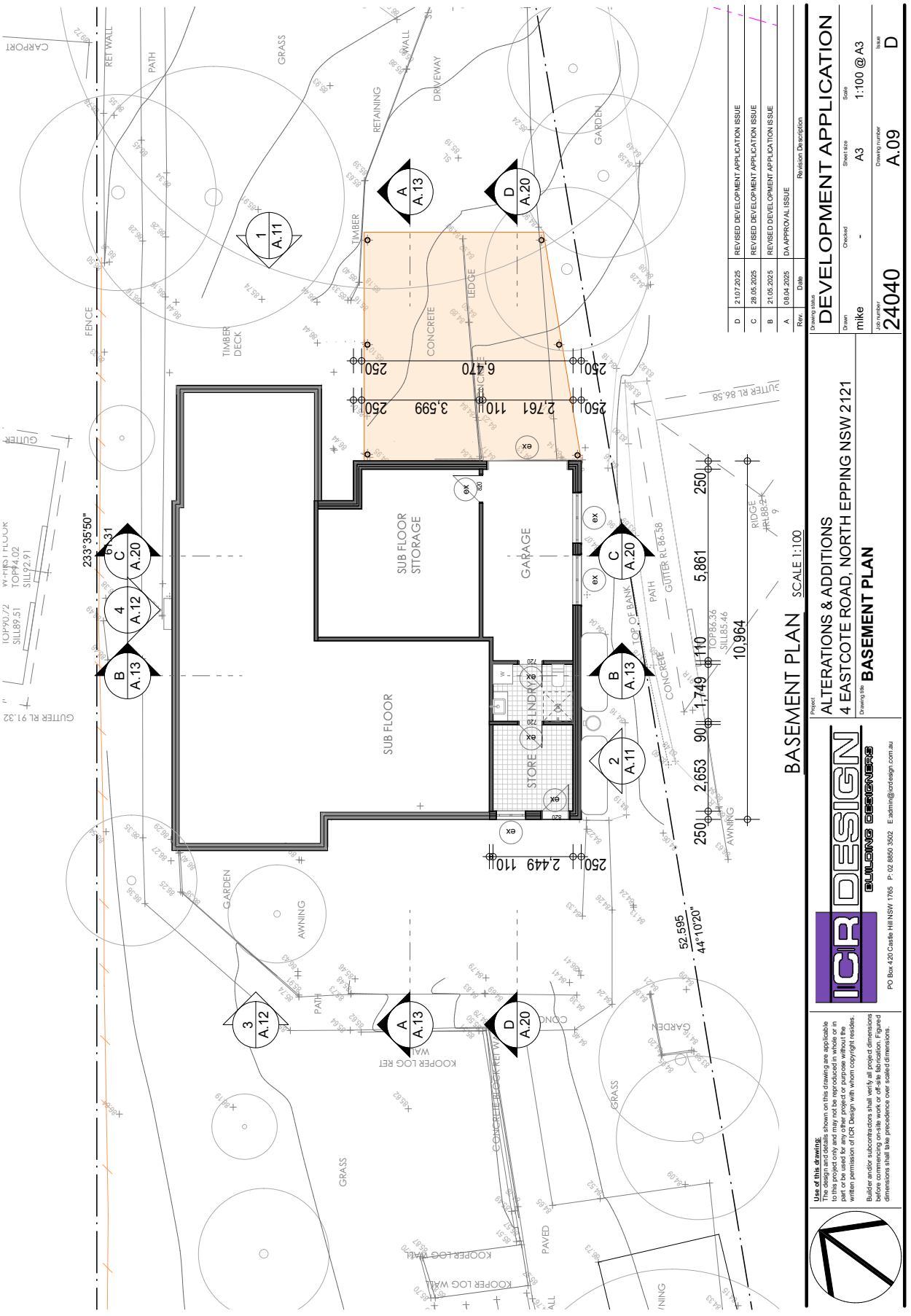

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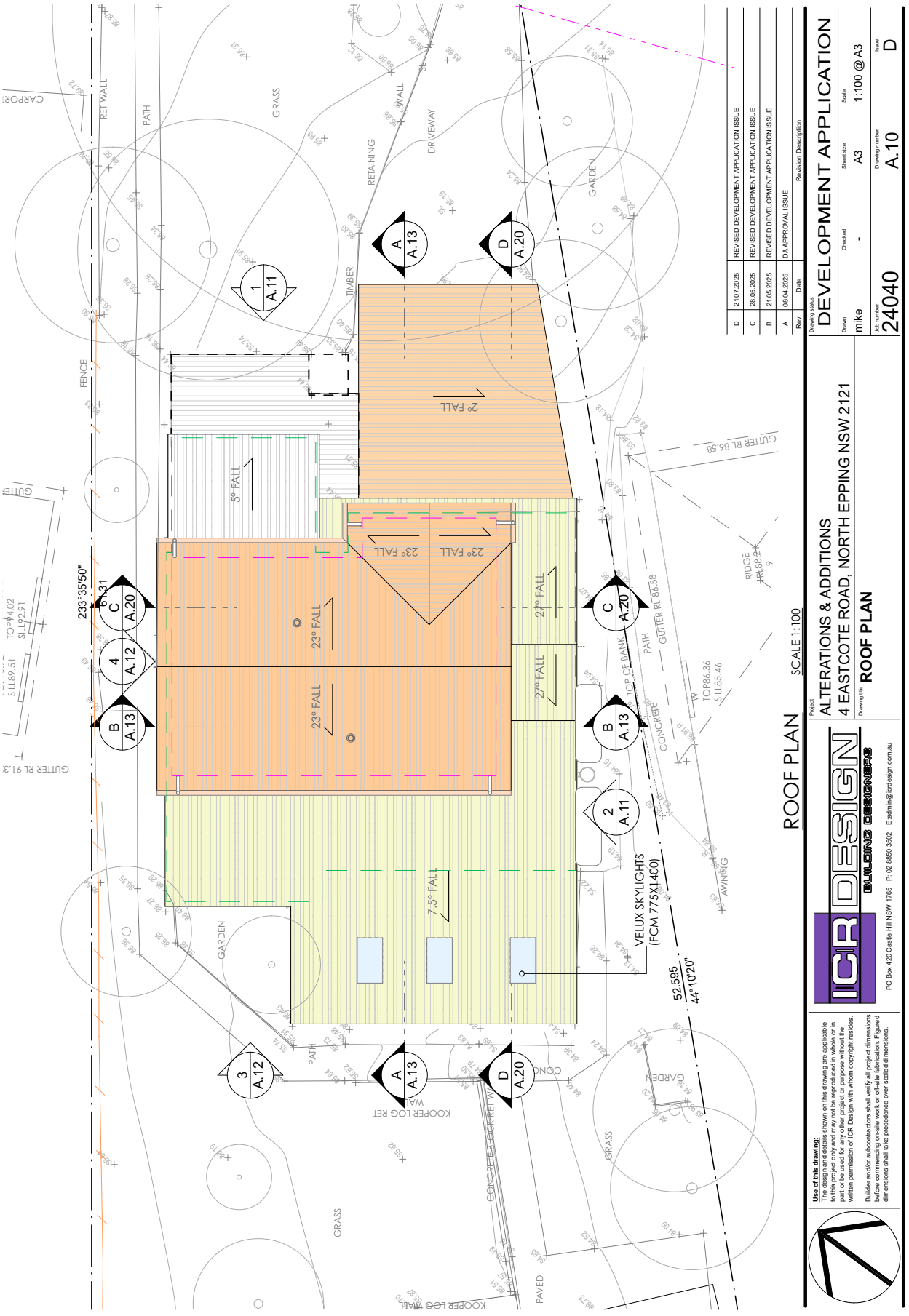

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
A	08.04.2025	DA APPROVAL ISSUE

Drawing status: DEVELOPMENT APPLICATION

Drawn: mike | Checked: - | Sheet size: A3 | Scale: 1:100 @ A3

Job number: 24040 | Drawing number: A.10 | Issue: D

Project: ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title: ROOF PLAN

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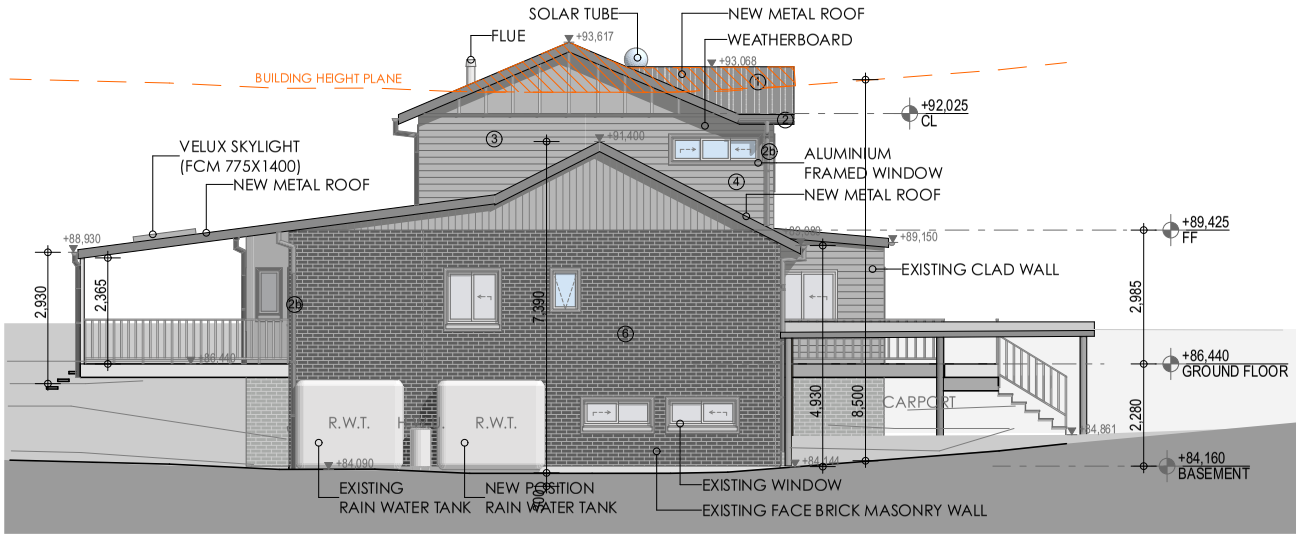
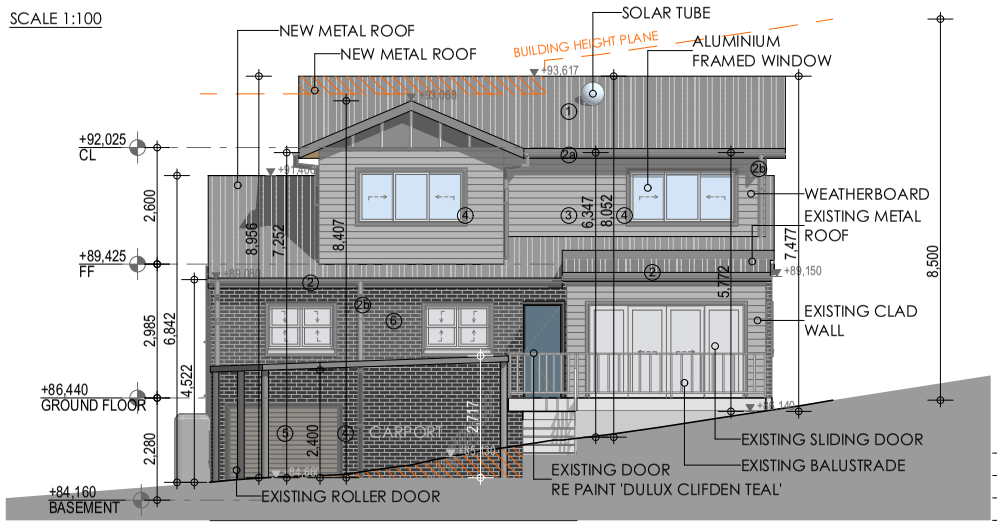
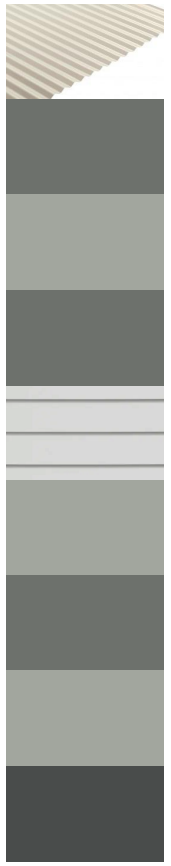


ELEVATION 2 SCALE 1:100



ELEVATION 1 SCALE 1:100

MATERIALS & FINISHES



1.ROOF
COLORBOND ROOF

1.ROOF
COLOUR- WINDSPRAY

2.a. DOWNPIPE
COLOUR- SHALE GREY

2.b. FASCIA/GUTTER
COLOUR- WINDSPRAY

3. LINEA WEATHERBOARD

3. WALL CLAD
COLOUR- SHALE GREY

4. WINDOWS/DOOR FRAME
COLOUR-WINDSPRAY

5. GARAGE DOOR
COLORBOND SHALE GREY

6. WALL (EXISTING BRICK)
DULUX BASALT

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
A	08.04.2025	DA APPROVAL ISSUE

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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

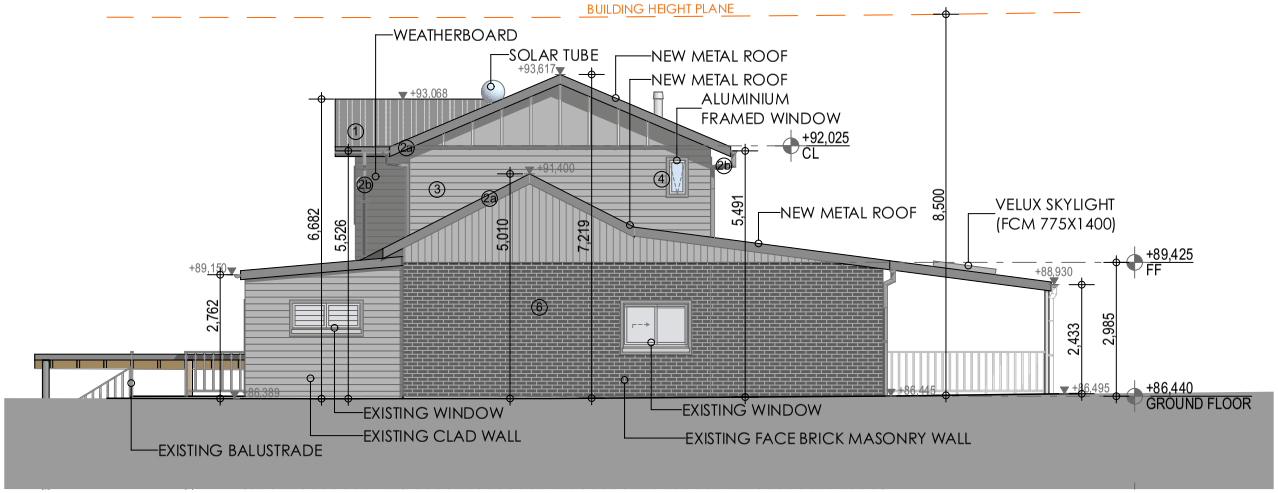
Drawing title
ELEVATIONS I

Drawing status
DEVELOPMENT APPLICATION

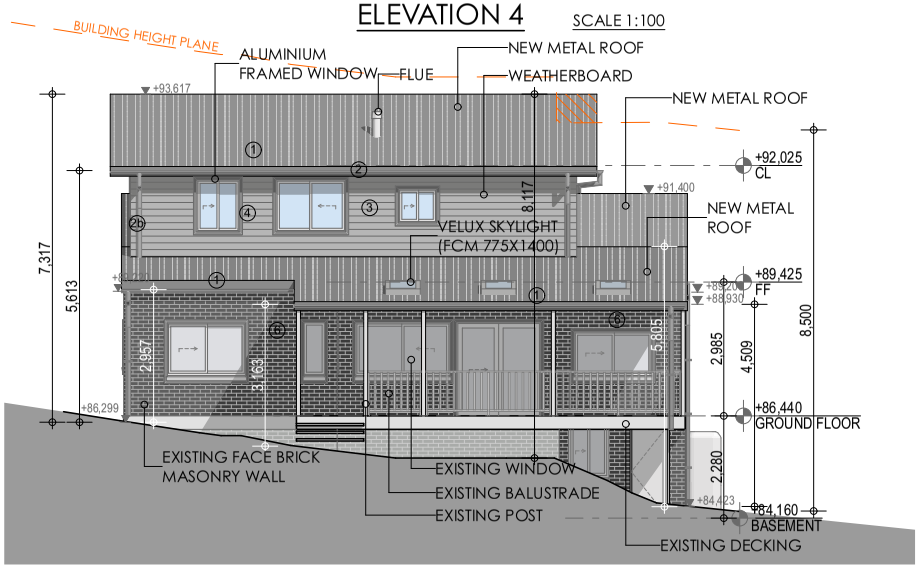
Drawn	Checked	Sheet size	Scale
mike	-	A3	1:100 @ A3

Job number	Drawing number	Issue
24040	A.11	D

ATTACHMENT 2 - ITEM 3

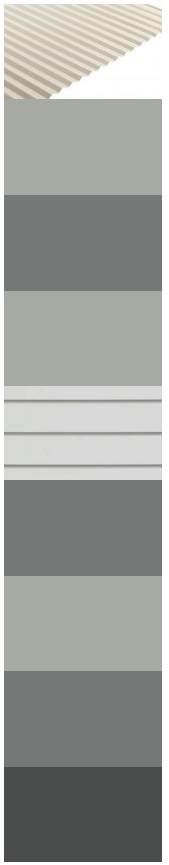


ELEVATION 4 SCALE 1:100



ELEVATION 3 SCALE 1:100

MATERIALS & FINISHES



1.ROOF
COLORBOND ROOF

1.ROOF
COLOUR- WINDSPRAY

2.a. DOWNPIPE
COLOUR- SHALE GREY

2.b. FASCIA/GUTTER
COLOUR- WINDSPRAY

3. LINEA WEATHERBOARD

3. WALL CLAD
COLOUR- SHALE GREY

4. WINDOWS/DOOR FRAME
COLOUR-WINDSPRAY

5. GARAGE DOOR
COLORBOND SHALE GREY

6. WALL (EXISTING BRICK)
DULUX BASALT

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
A	08.04.2025	DA APPROVAL ISSUE

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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title
ELEVATIONS II

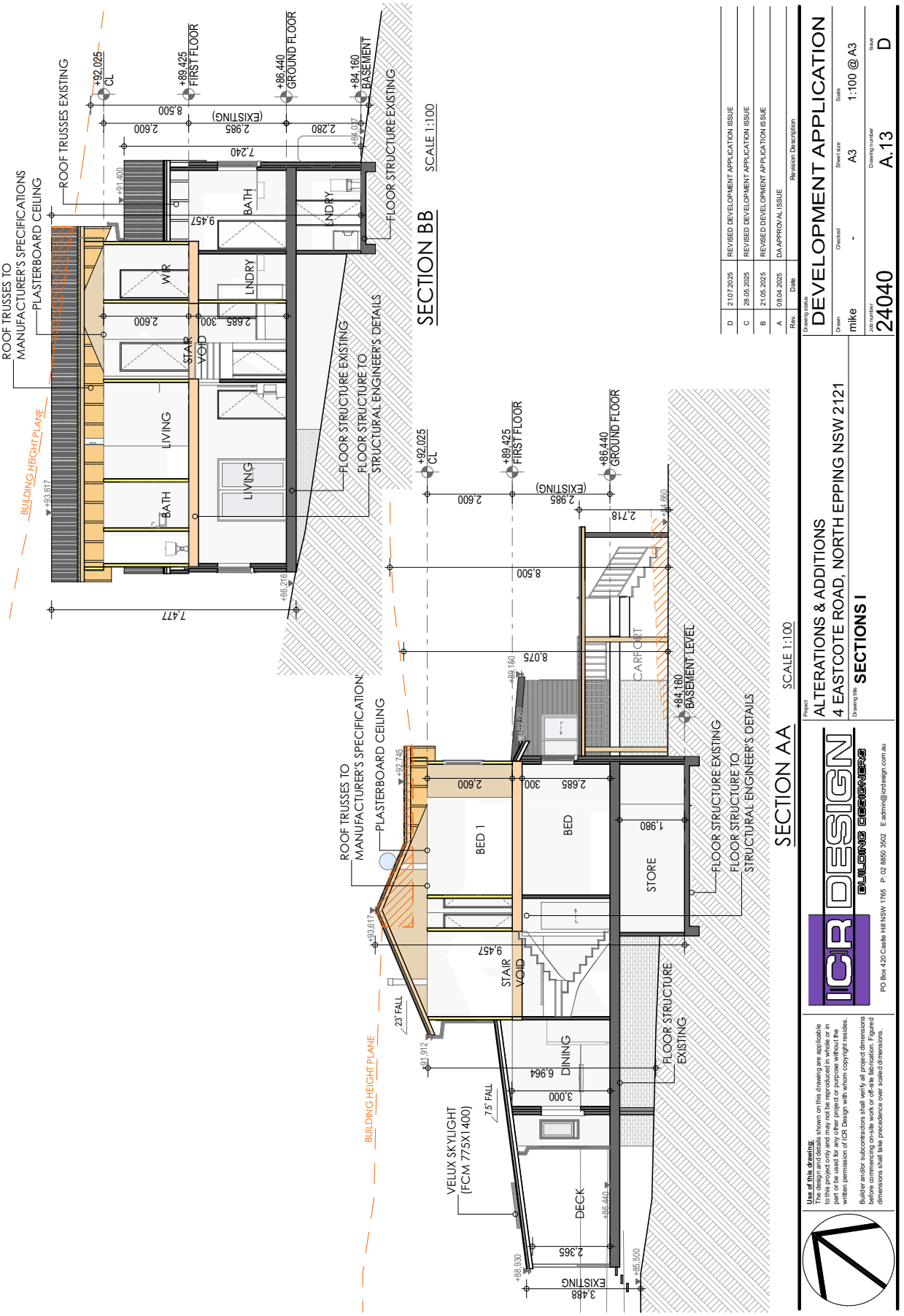
Drawing status
DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	1:100 @ A3

Job number	Drawing number	Issue
24040	A.12	D

ATTACHMENT 2 - ITEM 3

ATTACHMENT 2 - ITEM 3



Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
B	21.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
A	08.04.2025	DA APPROVAL ISSUE

Drawing status: DEVELOPMENT APPLICATION

Project: ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title: SECTIONS I

Drawn: mike | Checked: - | Sheet size: A3 | Scale: 1:100 @ A3

Job number: 24040 | Drawing number: A.13 | Issue: D

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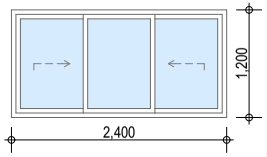
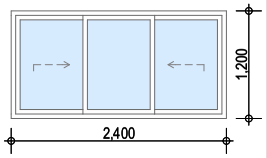
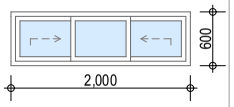
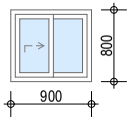
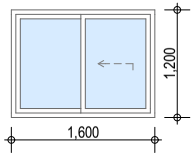
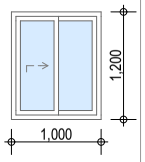
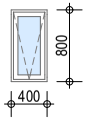
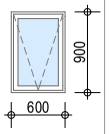
Use of this drawing:
The design and details shown on this drawing are applicable to this project only and may not be reproduced in whole or in part or be used for any other project or purpose without the written permission of ICR Design with whom copyright resides.

Builder and/or subcontractors shall verify all project dimensions before commencing on-site work or off-site fabrication. Figured dimensions shall take precedence over scaled dimensions.

WINDOW								
ID	W01	W02	W03	W04	W05	W06	W07	W11
ELEVATION								
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AREA	2.88	2.88	1.20	0.72	1.92	1.20	0.32	0.54
NOTE								

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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title
WIN SCHEDULE

Drawing status
DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	1:1 @ A3

Job number	Drawing number	Issue
24040	A.14	D

ATTACHMENT 2 - ITEM 3

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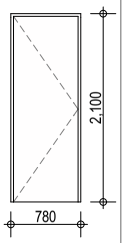
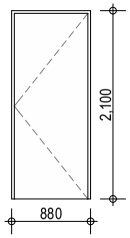
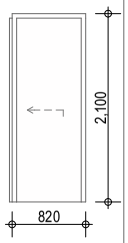
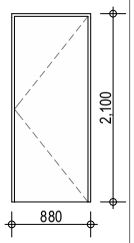
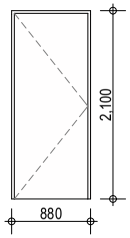
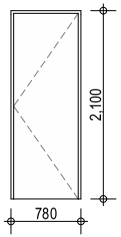
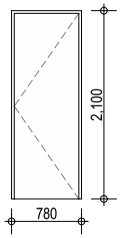
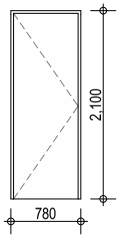
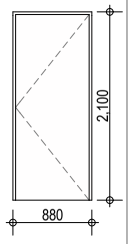
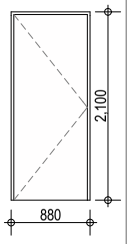
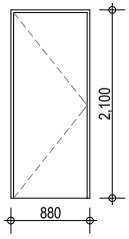
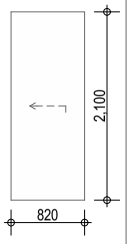
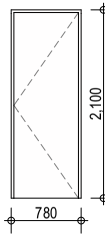
ELEVATION								
Leaf Dimensions	720×2,070	820×2,070	800×2,050	820×2,070	820×2,070	720×2,070	720×2,070	720×2,070
Unit Dimensions	780×2,100	880×2,100	820×2,100	880×2,100	880×2,100	780×2,100	780×2,100	780×2,100
AREA	1.64	1.85	1.72	1.85	1.85	1.64	1.64	1.64
NOTE								

DOOR					
ID	D11	D12	D13	D14	D15
ELEVATION					
Leaf Dimensions	820×2,070	820×2,070	820×2,070	720×2,050	720×2,070
Unit Dimensions	880×2,100	880×2,100	880×2,100	820×2,100	780×2,100
AREA	1.85	1.85	1.85	1.72	1.64
NOTE					

Rev.	Date	Revision Description
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A	08.04.2025	DA APPROVAL ISSUE

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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title
DOOR SCHEDULE

Drawing status
DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	1:1 @ A3

Job number	Drawing number	Issue
24040	A.15	D

BASIX™ Certificate

Building Sustainability Index
www.planningportal.nsw.gov.au/development-and-assessment/basix

Alterations and Additions

Certificate number: A1790942

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.planningportal.nsw.gov.au/definitions

Secretary
Date of issue: Tuesday, 08 April 2025
To be valid, this certificate must be lodged within 3 months of the date of issue.

Project address	
Project name	4 Eastcote Road, North Epping NSW 2121
Street address	4 EASTCOTE Road NORTH EPPING 2121
Local Government Area	Hornsby Shire Council
Plan type and number	Deposited Plan DP27760
Lot number	4
Section number	-
Project type	
Dwelling type	Dwelling house (detached)
Type of alteration and addition	The estimated development cost for my renovation work is $50,000 or more, and does not include a pool (and/or spa).
N/A	N/A
Certificate Prepared by (please complete before submitting to Council or PCA)	
Name / Company Name: ICR DESIGN PTY LTD	
ABN (if applicable): 88088186108	

Construction	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements			
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that: a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.	✔	✔	✔

Construction	Additional insulation required (R-value)	Other specifications
floor above existing dwelling or building	nil	N/A
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)	
flat ceiling, pitched roof	ceiling: R2.50 (up), roof: foil backing	medium (solar absorptance 0.475 - 0.70)

Glazing requirements								Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Window or door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type				
W6	SW	1.2	5	5.5	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)				
W7	NW	0.32	0	0	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)				
W11	SE	0.54	0	0	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)				

Fixtures and systems	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Hot water			
The applicant must install the following hot water system in the development: gas instantaneous	✔	✔	✔
Lighting			
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.		✔	✔
Fixtures			
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.		✔	✔
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.		✔	✔
The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.		✔	

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors			
The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.	✔	✔	✔
The following requirements must also be satisfied in relation to each window and glazed door:		✔	✔
Each window or glazed door with standard aluminium or timber frames and single clear or toned/grey glass may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.		✔	✔
Each window or glazed door with improved frames, or pyrolytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with comparable U-value and SHGC may be substituted.		✔	✔
For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.	✔	✔	✔
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.		✔	✔
Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.		✔	✔
Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the "overshadowing" column in the table below.	✔	✔	✔

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Skylights			
The applicant must install the skylights in accordance with the specifications listed in the table below.	✔	✔	✔
The following requirements must also be satisfied in relation to each skylight:		✔	✔
Each skylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below.		✔	✔

Skylights glazing requirements

Skylight number	Area of glazing inc. frame (m2)	Shading device	Frame and glass type
S1	1.08	no shading	timber, low-E internal argon fill clear external, (or U-value: 2.9, SHGC: 0.456)
S2	1.08	no shading	timber, low-E internal argon fill clear external, (or U-value: 2.9, SHGC: 0.456)
S3	1.08	no shading	timber, low-E internal argon fill clear external, (or U-value: 2.9, SHGC: 0.456)

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors glazing requirements			

Window or door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
W1	NE	2.88	5	6	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2	NE	2.88	5	6	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3	SE	1.2	0	0	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W4	SW	0.72	0	0	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W5	SW	1.92	0	0	eave/ verandah/ pergola/balcony >=450 mm	aluminium, single Low-Tset low-e, (U-value: 5.6, SHGC: 0.36)

Legend
In these commitments, "applicant" means the person carrying out the development.
Commitments identified with a ✔ in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
Commitments identified with a ✔ in the "Show on CC/CDC plans & specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
Commitments identified with a ✔ in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued.

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

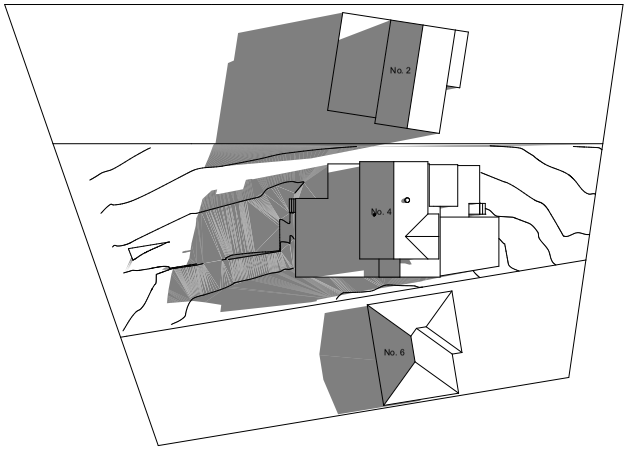
Drawing title **BASIX REQUIREMENTS**

Drawing status
DEVELOPMENT APPLICATION

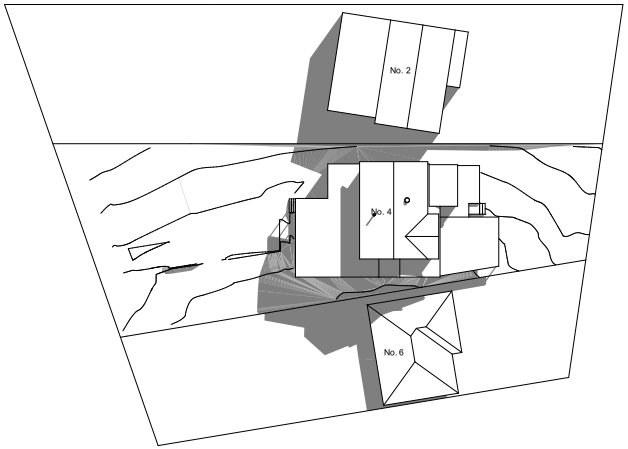
Drawn	Checked	Sheet size	Scale
mike	-	A3	1:2.5 @ A3

Job number	Drawing number	Issue
24040	A.16	D

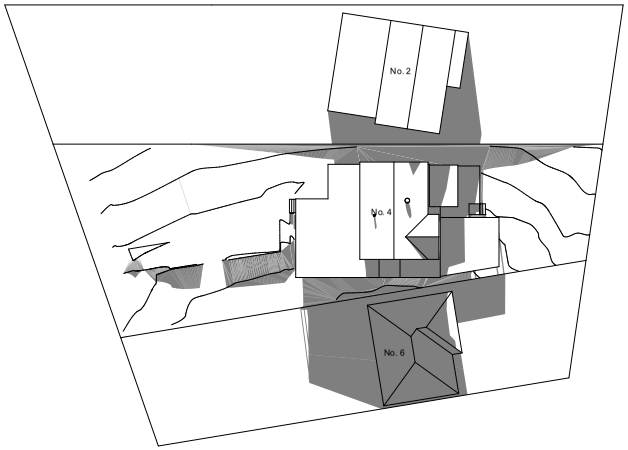
ATTACHMENT 2 - ITEM 3



21 JUNE 9am SCALE 1:500



21 JUNE 12pm SCALE 1:500



21 JUNE 3pm SCALE 1:500

Rev.	Date	Revision Description
D	21.07.2025	REVISED DEVELOPMENT APPLICATION ISSUE
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Project
ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title
SHADOW DIAGRAM

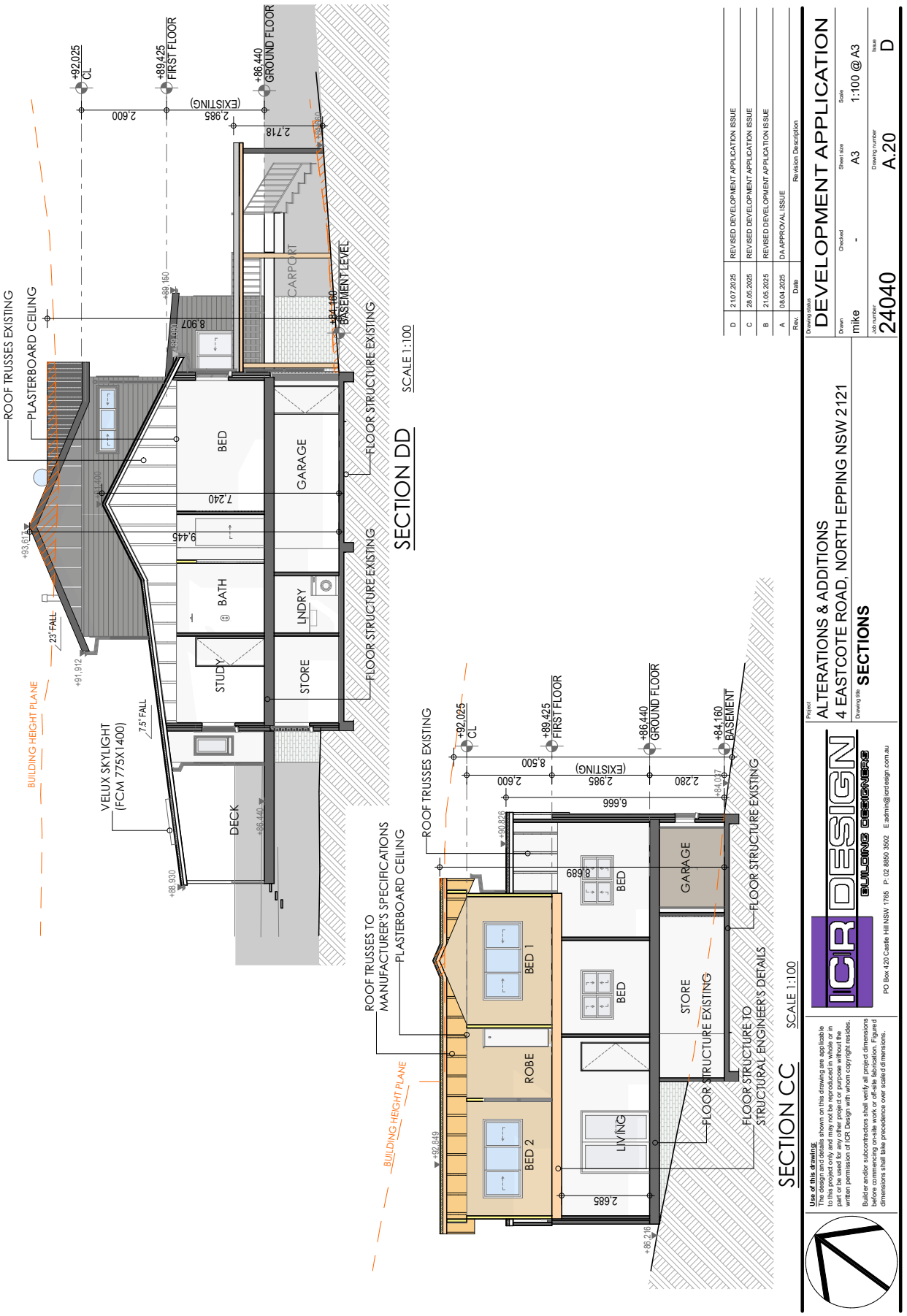
Drawing status
DEVELOPMENT APPLICATION

Drawn	Checked	Sheet size	Scale
mike	-	A3	1:500 @ A3

Job number	Drawing number	Issue
24040	A.17	D

ATTACHMENT 2 - ITEM 3

ATTACHMENT 2 - ITEM 3



Rev.	Date	Revision Description
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C	28.05.2025	REVISED DEVELOPMENT APPLICATION ISSUE
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A	08.04.2025	DA APPROVAL ISSUE

Drawing status: DEVELOPMENT APPLICATION

Project: ALTERATIONS & ADDITIONS
4 EASTCOTE ROAD, NORTH EPPING NSW 2121

Drawing title: SECTIONS

Drawn: mike | Checked: - | Sheet size: A3 | Scale: 1:100 @ A3

Job number: 24040 | Drawing number: A.20 | Issue: D

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ATTACHMENT 3 - ITEM 3

HUGH
THE ARBORIST

Arboricultural Impact Assessment

Client Name: Farah Jan
Site Address: 3 Eastcote Road North Epping NSW
Authors Details: Hugh Millington
Email: hugh@hughthearborist.com.au
Phone: 0426836701
Date Prepared: 19th May 2025

Table of Contents

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Report on trees at: 4 Eastcote Road North Epping NSW
Prepared for: Farah Jan
Prepared by: Hugh Millington, hugh@hughtheArborist.com.au
Date prepared: 19th May 2025

1. INTRODUCTION

1.1 This report has been commissioned by ICR Design on behalf of the client Farah Jan to assess trees located within the site and adjoining sites that may be impacted by a proposed development.

1.2 The following table contains all documents and information provided for the assessment.

Table 1: Documents Provided

Title	Author	Date	Reference on document
Survey Plan	Complete Precision Surveys	22/10/2024	240092-DETID
Proposed Architectural Plans	ICR Design	07/03/2025	Revision A

1.3 The site and tree inspections were carried out on 15th May 2025. Access was available to the subject site and adjoining public areas only. All tree data contained in this report was collected during this site inspection.

2. SCOPE OF THE REPORT

2.1 This report has been undertaken to meet the following objectives.

2.1.1 Conduct a ground level visual assessment of all significant trees located within 5 metres of development works. For the purpose of this report, a significant tree is a tree with a height equal to or greater than 3 metres with relatively few stems.

2.1.2 Determine the trees estimated contribution years and remaining useful life expectancy and award the trees a retention value.

2.1.3 Provide an assessment of the potential impact the proposed development is likely to cause to the condition of the subject trees in accordance with AS4970 Protection of trees on development sites (2009).

2.1.4 Recommend methods to mitigate development impacts where possible.

2.1.5 Recommend tree protection measures for any tree to be retained in accordance with AS4970 Protection of trees on development sites (2009).

3. LIMITATIONS

3.1 Access was not available to neighbouring sites, therefore the tree measurements for trees located within neighbouring sites have been estimated from within the subject site.

3.2 The observations and recommendations are based on one site inspection. The findings of this report are based on the observations and site conditions at the time of the inspection.

3.3 All observations were carried out from ground level. No additional detailed testing was carried out on trees or soil on site and none of the surrounding surfaces were lifted for investigated.

3.4 Root decay can sometimes be present with no visual indication above ground. It is also impossible to know the extent of any root damage caused by mechanical damage such as underground root cutting during the installation of services without undertaking detailed root investigation. Any form of tree failure due to these activities is beyond the scope of this assessment.

3.5 The report reflects the subject tree(s) as found on the day of the inspection. Any changes to the growing environment of the subject trees, or tree management works beyond those recommended in this report may alter the findings of the report. There is no warranty, expressed or implied, that problems or deficiencies relating to the subject tree, or subject site may not arise in the future.

3.6 Tree identification is based on accessible visual characteristics at the time of inspection. As key identifying features are not always available the accuracy of identification is not guaranteed. Where tree species is unknown, it is indicated with a spp.

3.7 All diagrams, plans and photographs included in this report are visual aids only, and are not to scale unless otherwise indicated.

3.8 Hugh The Arborist neither guarantees, nor is responsible for, the accuracy of information provided by others that is contained within this report.

3.9 While an assessment of the subject trees estimated useful life expectancy is included in this report, no specific tree risk assessment has been undertaken for any of the trees at the site.

3.10 Where trees are stated as retainable under the current proposal, this will only be possible if all recommendations and specifications are followed with consultation with the Project Arborist.

3.11 The ultimate safety of any tree cannot be categorically guaranteed. Even trees apparently free of defects can collapse or partially collapse in extreme weather conditions. Trees are dynamic, biological entities subject to changes in their environment, the presence of pathogens and the effects of ageing. These factors reinforce the need for regular inspections. It is generally accepted that hazards can only be identified from distinct defects or from other failure-prone characteristics of a tree or its locality.

3.12 Alteration of this report invalidates the entire report.

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4. METHODOLOGY

4.1 The following information was collected during the assessment of the subject tree(s).

4.1.1 Tree common name

4.1.2 Tree botanical name

4.1.3 Tree age class

4.1.4 DBH (Trunk/Stem diameter at breast height/1.4m) - millimetres.

4.1.5 DAB (Trunk diameter directly above the root buttress) – millimetres.

4.1.6 Estimated height - metres

4.1.7 Estimated crown spread (radius of crown) - metres

4.1.8 Health

4.1.9 Structural condition

4.1.10 Amenity value

4.1.11 Estimated remaining contribution years (SULE)[1]

4.1.12 Retention value (Tree AZ)[2]

4.1.13 Notes/comments

4.2 An assessment of the trees condition was made using the visual tree assessment (VTA) model (Mattheck & Breloer, 1994).3

4.3 Trunk diameter was measured using a DBH tape or in some cases estimated. The trunk diameter of all trees in adjoining sites has been estimated. Tree height and tree canopy spread was measured with a clinometer or in some cases estimated. All other measurements were estimations unless otherwise stated.

4.4 All information was imported into (GIS) PT-mapper pro software. This software was used to measure/calculate all encroachment estimates included in this report.

4.5 All DBH measurements, tree protection zones, and structural root zones were calculated in accordance with methods set out in AS4970 Protection of trees on development sites (2009) in a Microsoft Excel spreadsheet. [4]

4.6 Details of how the observations in this report have been assessed are listed in the appendices.

[1] Barrell, J. (2001), *'SULE: Its use and status in the new millennium' in Management of Mature Trees proceedings of the 4th NAAA Workshop*, Sydney, 2001. Barrell.

[2] Barrell Tree Consultancy, *Tree AZ version 10.10-ANZ*, http://www.treeaz.com/.

[3] Mattheck, C. & Breloer, H., *The body language of trees - A handbook for failure analysis*, The Stationary Office, London, England (1994).

[4] Council Of Standards Australia, *AS4970 Protection of trees on development sites* (2009).

5. SITE LOCATION AND BRIEF DESCRIPTION OF PROPOSAL

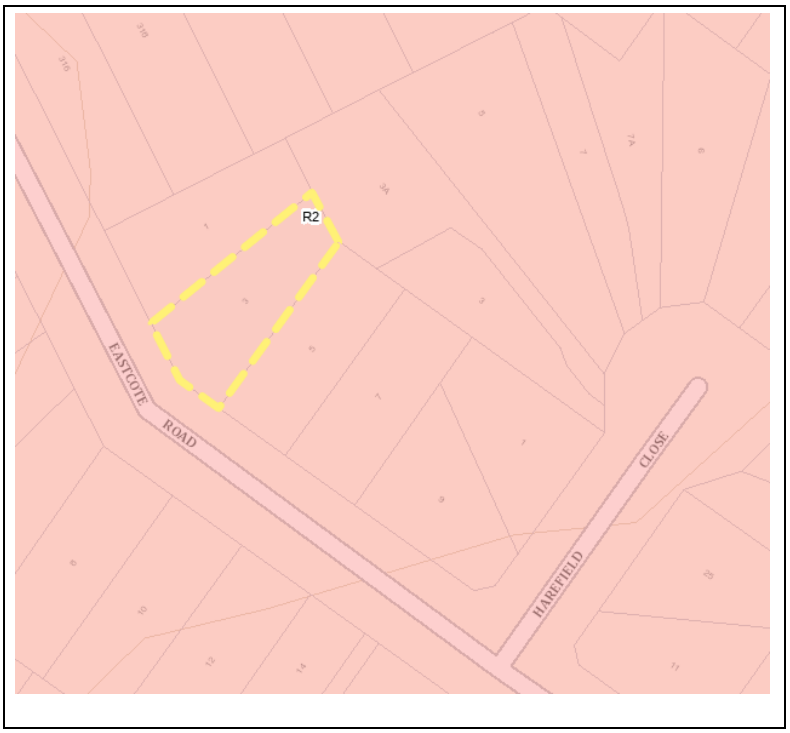
5.1 The site is located within the suburb of north Epping in the Hornsby Shire Local Government Area, this assessment has been carried out in accordance with the following legislation and policy.

5.1.1 Hornsby Local Environmental Plan (LEP) 2013

5.1.2 Hornsby Development Control Plan (DCP) 2013

5.1.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Tile 1. Site Location [5]



[5] https://www.planningportal.nsw.gov.au/spatialviewerhistoric/#/find-a-property/address

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5.2 The site is not located inside a Heritage Conservation Area or listed as a heritage item or identified as containing biodiversity according to the NSW Planning Portal Spatial Viewer, accessed 19/05/2025.[6]

5.3 The site is orientated facing the south west. The works assessed in this report are alterations and additions located within the front setback of the site which falls to the north and contains level changes.

6. OBSERVATIONS AND GENERAL INFORMATION IN RELATION TO PROTECTING TREES ON DEVELOPMENT SITES

6.1 **Tree information**: Details of each individual tree I have assessed, including the observations taken during the site inspection can be found in the tree inspection schedule in appendix 2, where I have calculated the indicative tree protection zone (TPZ) for the subject trees. The TPZ and SRZ should be measured in radius from the centre of the trunk. I awarded the subject trees a retention value based on my observations. The system I have used to award the retention value is Tree AZ. Tree AZ is used to identify higher value trees worthy of being a constraint to development and lower value trees that should generally not be a constraint to the development. I have included the Tree AZ categories sheet (Barrell Tree Consultancy) to assist with understanding the retention values. The retention value that has been allocated to the subject trees in this report is not definitive and should only be used as a guideline.

6.2 **Site plan:** In appendix 1 a site plan has been prepared, where the tree information including canopy spread, TPZ and SRZ have been overlaid onto the proposed site plans. The following site plan is included.

- Appendix 1: Existing Site Plan
- Appendix 1A: Proposed Site Plan and Tree Protection Plan

6.3 **Tree protection zone (TPZ)**: The TPZ is principle means of protecting trees on development sites and is an area required to maintain the viability of trees during development. It is commonly observed that tree roots will extend significantly further than the indicative TPZ, however the TPZ is an area identified AS4970-2009 to be the extent where root loss or disturbance will generally impact the viability of the tree. The TPZ is identified as a restricted area to prevent damage to trees either above or below ground during a development. Where trees are intended to be retained proposed developments must provide an adequate TPZ around trees. The TPZ is set aside for the tree's root zone, trunk and crown and it is essential for the stability and longevity of the tree. The tree protection also incorporates the SRZ (see below for more information about the SRZ). I have calculated the TPZ of palms, other monocots, cycads and tree ferns at one metre outside the crown projection.

[6] https://www.planningportal.nsw.gov.au/spatialviewerhistoric/#/find-a-property/address

6.4 **Structural Root Zone (SRZ)**: This is the area around the base of a tree required for the trees stability in the ground. An area larger than the SRZ always needs to be maintained to preserve a viable tree. There are several factors that can vary the SRZ which include height, crown area, soil type and soil moisture. It can also be influenced by other factors such as natural or built structures. Generally work within the SRZ should be avoided. Soil level changes should also generally be avoided inside the SRZ of trees to be retained. Palms, other monocots, cycads and tree ferns do not have an SRZ.

6.5 **Minor encroachment into TPZ**: Sometimes encroachment into the TPZ is unavoidable. Encroachment includes but is not limited to activities such as excavation, compacted fill and machine trenching. Minor encroachment of up to 10% of the overall TPZ area is normally considered acceptable, providing there is space adjacent to the TPZ for the tree to compensate and the tree is displaying adequate vigour/health to tolerate changes to its growing environment.

6.6 **Major encroachment into TPZ**: Where encroachment of more than 10% of the overall TPZ area is proposed the project Arborist must investigate and demonstrate that the tree will remain in a viable condition. In some cases, tree sensitive construction methods such as pier and beam footings, suspended slabs, or cantilevered sections, can be utilised to allow additional encroachment into the TPZ by bridging over roots and minimising root disturbance. Major encroachment is only possible if it can be undertaken without severing significant size roots, or if it can be demonstrated that significant roots will not be impacted.

7. ASSESSMENT OF CONSTRUCTION IMPACTS

7.1 **Table 2:** In the table below, the impact of the proposed development has been assessed for all trees included in the report. Abbreviations used in the report are Tree Protection Zone (TPZ) and Structural Root Zone (SRZ).

Tree ID	Botanical Name	Retention value	TPZ radius (m)	SRZ radius (m)	TPZ encroachment	Discussion/ Conclusion	Recommendation
1	*Corymbia maculata*	A1	8.2	2.9	None	The tree is growing close to the front boundary of the site. The proposed works consist of the removal of the existing split level concrete slab to meet the lower level of the existing driveway. The proposed works are located outside of the TPZ area indicating the tree will not be affected by the works on the provision the section of driveway transecting through the TPZ and the SRZ is retained within the existing footprint.	Retain and protect
2	*Magnolia x soulangeana*	A1	2.0	2.4	None	No encroachment proposed.	Retain and protect
3	*Camellia japonica*	A1	3.5	2.4	None	No encroachment proposed.	Retain and protect
4	*Laurus nobilis*	Z1	2.0	1.6	None	No encroachment proposed.	Retain and protect
5	*Camellia Sasanqua*	Z1	2.0	1.6	Major	The proposed carport and driveway setback will be reduced to within 400mm of the trunk of the tree. The new encroachment from the structure will be up to 36% which is a major encroachment that may affect the viability of the tree. The tree is considered to be of low value and capable of being offset with replacement planting.	Remove
6	*Viburnam Spp.*	Z1	2.0	1.5	None	Tree located on adjoining land. No encroachment proposed.	Retain and protect
7	*Michelia figo*	Z1	2.0	1.7	None	No encroachment proposed.	Retain and protect
8	*Jacaranda mimosifolia*	Z10	2.1	1.7	None	Tree located on adjoining land. No encroachment proposed.	Retain and protect

ATTACHMENT 3 - ITEM 3

8. CONCLUSIONS

8.1 **Table 3:** Summary of the impact to trees during the development.

Impact	Reason	Category A	Category Z	Total
		A	Z	
Trees recommended to be removed	Building construction, new surfacing and/or proximity, or trees in poor condition	-	5	**1**
Trees subject to impact and recommended to be retained	Removal of existing surfacing/structures and/or installation of new surfacing/structures will not impact the viability of the trees in the long term	1,2,3,	4,6,7,8	**7**
Trees subject to no impact and recommended to be retained	Trees that are not subject to development impact	-	-	**0**
Impacted trees requiring tree sensitive construction	Removal of existing surfacing/structures and/or installation of new surfacing/structures will not impact the viability of the trees in the long term	-	-	**0**

9. RECOMMENDATIONS

9.1 This report assesses the impact of a proposed development at the subject site to eight trees in accordance with Australian Standard 4970 Protection of Trees on Development Sites (2009).

9.2 One category Z tree is assessed to be removed as part of the development.

9.3 The remaining seven trees consisting of three category A trees and four category Z trees can be retained in a viable condition under the proposed works.

9.4 No services plan has been assessed as part of this report. All underground services located inside the TPZ of any tree to be retained must be installed via tree sensitive techniques. This should include either directional drilling methods or manual excavations to minimise the impact to trees identified for retention, see section 10 for more information.

9.5 This report does not provide approval for tree removal or pruning works. All recommendations in this report are subject to approval by the relevant authorities and/or tree owners. This report should be submitted as supporting evidence with any tree removal/pruning or development application.

10. ARBORICULTURAL WORK METHOD STATEMENT (AMS) AND TREE PROTECTION REQUIREMENTS

10.1 **Use of this report:** All contractors must be made aware of the tree protection requirements prior to commencing works at the site and be provided with a copy of this report.

10.2 **Project Arborist:** Prior to any works commencing at the site a project Arborist should be appointed. The project Arborist should be qualified to a minimum AQF level 5 and/or equivalent qualifications and experience, and should assist with any development issues relating to trees that may arise. If at any time it is not feasible to carryout works in accordance with this, an alternative must be agreed in writing with the project Arborist.

10.3 **Tree work:** All tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in arboriculture, in accordance with NSW Work Cover Code of Practice for the Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007).

10.4 **Initial site meeting/on-going regular inspections:** The project Arborist is to hold a pre-construction site meeting with principle contractor to discuss methods and importance of tree protection measures and resolve any issues in relation to tree protection that may arise. In accordance with AS4970-2009, the project Arborist should carryout regular site inspections to ensure works are carried out in accordance with this document throughout the development process. I recommend regular site inspections on a frequency based on the longevity of the project, this is to be agreed in the initial meeting.

10.5 **Table 4: Site Specific Tree Protection Recommendations**

Tree identification number	Protection reccomendation
1	- Tree protective fencing to isolate the structural root zone. - Ground protection throughout the front setback grassed area.
2,3	- Fencing to isolate both TPZ and SRZ areas including the canopy of Tree 2.
4	- Not required, tree is isolated from the proposed works.
5	- Remove
6,7	- Fencing aligned with the existing driveway edge.
8	- Fencing to isolate the TPZ and the SRZ area.

10.6 **Tree protection Specifications:** It is the responsibility of the principal contractor to install tree protection prior to works commencing at the site (prior to demolition works) and to ensure that the tree protection remains in adequate condition for the duration of the development. The tree protection must not be moved without prior agreement of the project Arborist. The project Arborist must inspect that the tree protection has been installed in accordance with this document and AS4970-2009 prior to works commencing.

10.7 **Protective fencing:** Where it is not feasible to install fencing at the specified location due to factors such restricting access to areas of the site or for constructing new structures, an alternative location and protection specification must be agreed with the project Arborist. Where the installation of fencing in unfeasible due to restrictions on space, trunk and branch protection will be required (see below). The protective fencing must be constructed of 1.8 metre 'cyclone chainmesh fence'. The fencing must only be removed for the landscaping phase and must be authorised by the project Arborist. Any modifications to the fencing locations must be approved by the project Arborist.

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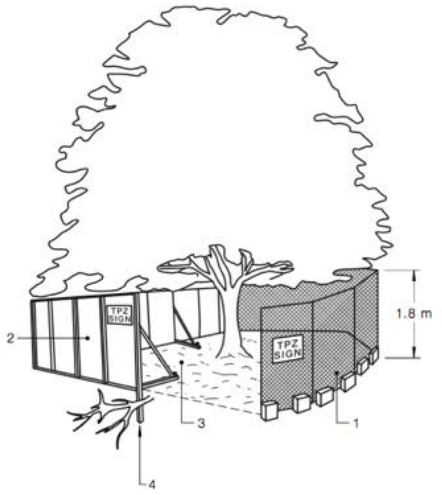
10.8 **TPZ signage:** Tree protection signage is to be attached to the protective fencing, displayed in a prominent position and the sign repeated at 10 metres intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:

- Tree protection zone/No access.
- This fence has been installed to prevent damage to the tree/s and their growing environment both above and below ground. Do not move fencing or enter TPZ without the agreement of the project Arborist.
- The name, address, and telephone number of the developer/builder and project Arborist

10.9 **Trunk and Branch Protection:** The trunk must be protected by wrapped hessian or similar material to limit damage. Timber planks (50mm x 100mm or similar) should then be placed around tree trunk. The timber planks should be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping and connections finished or covered to protect pedestrians from injury. The hessian and timber planks must not be fixed to the tree in any instance. The trunk and branch protection shall be installed prior to any work commencing on site and shall be maintained in good condition for the entire development period.

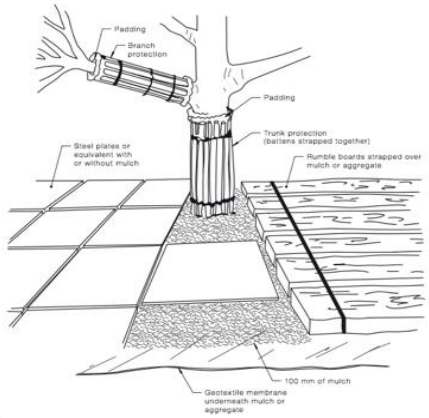
10.10 **Mulch:** Any areas of the TPZ located inside the subject site (only trees to be retained directly adjacent to site works must be mulched to a depth of 75mm with good quality composted wood chip/leaf mulch.

10.11 **Ground Protection:** Ground protection is required to protect the underlying soil structure and root system in areas where it is not practical to restrict access to whole TPZ, while allowing space for construction. Ground protection must consist of good quality composted wood chip/leaf mulch to a depth of between 150-300mm, laid on top of geo textile fabric. If vehicles are to be using the area, additional protection will be required such as rumble boards or track mats to spread the weight of the vehicle and avoid load points. Ground protection is to be specified by the project Arborist as required.



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.

An image from AS4970-2009,[7] with example tree protection.



NOTES:
1 For trunk and branch protection use boards and padding that will prevent damage to bark. Boards are to be strapped to trees, not nailed or screwed.
2 Rumble boards should be of a suitable thickness to prevent soil compaction and root damage.

An image from AS4970-2009,[8] with example tree protection.

[7] Council of Standards Australia, *AS4970 Protection of trees on development sites* (2009), page 16.

[8] Council of Standards Australia, *AS4970 Protection of trees on development sites* (2009), page 17.

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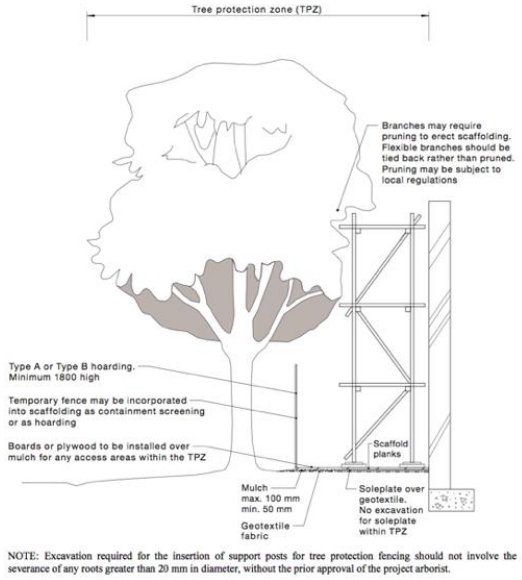

An image from AS4970-2009,[9] with example tree protection involving scaffold.

10.12 **Root investigations:** Where major TPZ encroachments require demonstrating the viability of trees the following method for root investigations is to be used. Non-destructive excavations are to be carried out along the outer edge of proposed or existing structures within the TPZ (excavation methods include the use of pneumatic and hydraulic tools, high-pressure air or a combination of high-pressure water and a vacuum device). Excavations generally consist of a trench to a depth dictated by the location of significant roots, bedrock, unfavourable conditions for root growth, or the required depth for footings up to 1 metre. The investigation is to be carried out by AQF5 consulting Arborist who is to record all roots greater than 30 millimetres in diameter and produce a report discussing the significance of the findings. No roots 30 millimetres in diameter are to be frayed or damaged during excavation and the trench is to be backfilled as soon as possible to reduce the risk of roots drying out. In the event roots must be left exposed, they are to be wrapped in hessian sack and regularly irrigated for the duration of exposure.

10.13 **Restricted activities inside TPZ:** The following activities must be avoided inside the TPZ of all trees to be retained unless approved by the project Arborist. If at any time these activities cannot be avoided an alternative must be agreed in writing with the project Arborist to minimise the impact to the tree.

[9] Council of Standards Australia, *AS4970 Protection of trees on development sites* (2009), page 19.

A) Machine excavation.
B) Ripping or cultivation of soil.
C) Storage of spoil, soil or any such materials
D) Preparation of chemicals, including preparation of cement products.
E) Refueling.
F) Dumping of waste.
G) Wash down and cleaning of equipment.
H) Placement of fill.
I) Lighting of fires.
J) Soil level changes.
K) Any physical damage to the crown, trunk, or root system.
L) Parking of vehicles.

10.14 **Demolition:** The demolition of all existing structures inside or directly adjacent to the TPZ of trees to be retained must be undertaken in consultation with the project Arborist. Any machinery is to work from inside the footprint of the existing structures or outside the TPZ, reaching in to minimise soil disturbance and compaction. If it is not feasible to locate demolition machinery outside the TPZ of trees to be retained, ground protection will be required. The demolition should be undertaken inwards into the footprint of the existing structures, sometimes referred to as the 'top down, pull back' method.

10.15 **Excavations and root pruning:** The project Arborist must supervise and certify that all excavations and root pruning are in accordance with AS4373-2007 and AS4970-2009. For continuous strip footings, first manual excavation is required along the edge of the structures closest to the subject trees. Manual excavation should be a depth of 1 metre (or to unfavourable root growth conditions such as bed rock or heavy clay, if agreed by project Arborist). Next roots must be pruned back in accordance with AS4373-2007. After all root pruning is completed, machine excavation is permitted within the footprint of the structure. For tree sensitive footings, such as pier and beam, all excavations inside the TPZ must be manual. Manual excavation may include the use of pneumatic and hydraulic tools, high-pressure air or a combination of high-pressure water and a vacuum device. No pruning of roots greater 40mm in diameter is to be carried out without approval of the project arborist. All pruning of roots greater than 10mm in diameter must be carried out by a qualified Arborist/Horticulturalist with a minimum AQF level 3. Root pruning is to be a clean cut with a sharp tool in accordance with AS4373 Pruning of amenity trees (2007).[10] The tree root is to be pruned back to a branch root if possible. Make a clean cut and leave as small a wound as possible.

10.16 **Landscaping:** All landscaping works within the TPZ of trees to be retained are to be undertaken in consultation with a consulting Arborist to minimize the impact to trees. General guidance is provided below to minimise the impact of new landscaping to trees to be retained.

[10] Council Of Standards Australia, *AS 4373 Pruning of amenity trees* (2007) page 18

10.17 **Level changes should be minimised**. The existing ground levels within the landscape areas should not be lowered by more than 50mm or increased by more 100mm without assessment by a consulting Arborist.

10.18 **New retaining walls** should be avoided. Where new retaining walls are proposed inside the TPZ of trees to be retained, they should be constructed from tree sensitive material, such as timber sleepers, that require minimal footings/excavations. If brick retaining walls are proposed inside the TPZ, considerer pier and beam type footings to bridge significant roots that are critical to the trees condition. Retaining walls must be located outside the SRZ and sleepers/beams located above existing soil grades.

10.19 **New footpaths** and hard surfaces should be minimised, as they can limit the availability of water, nutrients and air to the trees root system. Where they are proposed, they should be constructed on or above existing soil grades to minimise root disturbance and consider using a permeable surface. Footpath should be located outside the SRZ.

10.20 **The location of new plantings** inside the TPZ of trees to be retained should be flexible to avoid unnecessary damage to tree roots greater than 40mm in diameter.

10.21 **Underground Services:** AS4970 Protection of trees on development sites (2009) recommends that all underground services located inside the TPZ of any tree to be retained should be installed via tree sensitive techniques. This should include either directional drilling methods or manual excavations to minimise the impact to trees identified for retention.

If directional drilling is proposed, section 4.5.5 of AS4970-2009 says that 'The directional drilling bore should be at least 600 mm deep. The project Arborist should assess the likely impacts of boring and bore pits on retained trees'.[11]
If manual excavations are proposed, all excavations for the services should be carried out manually under the supervision of the project Arborist (minimum qualification AQF 5). Manual excavation may include the use of pneumatic and hydraulic tools, high-pressure air or a combination of high-pressure water and a vacuum device. All roots greater than 40mm in diameter should be retained in the service trench. The service pipe should then be threaded below the retained roots where practical. Roots greater than 40mm within the alignment of the service pipe should only be severed/pruned under the approval of the project Arborist. All root pruning should be in accordance with AS4373 Pruning of amenity trees (2007).
Open trenching in the SRZ of trees can be impractical without impacting significant roots, as often dense root growth is present in the SRZ. Open trenching should therefore be avoided in the SRZ. It is recommended that any section of pipe that is located in the SRZ of trees to be retained is installed via sub-surface boring/directional drilling methods only. The feasibility of sub-surface boring/directional drilling will need to be investigated by a sub-surface boring/directional drilling specialist. The project Arborist should provide advice and

[11] Council Of Standards Australia, *AS 4970 Protection of trees on development sites* (2009) page 18.

supervise excavations for bore pits, which must be carried out manually if located within the TPZ. The top of the pipe must be at least 600mm below the existing soil grade. The location of bore pits should be flexible in the TPZ to avoid significant roots, the project Arborist should assess and advise in writing the impact of any significant root severance to the condition of the tree.

10.22 **Sediment and Contamination:** All contamination run off from the development such as but not limited to concrete, sediment and toxic wastes must be prevented from entering the TPZ at all times.

10.23 **Tree Wounding/Injury:** Any wounding or injury that occurs to a tree during the construction process will require the project Arborist to be contacted for an assessment of the injury and provide mitigation/remediation advice. It is generally accepted that trees may take many years to decline and eventually die from root damage. All repair work is to be carried out by the project Arborist, at the contractor's expense.

10.24 **Completion of Development Works:** After all construction works are complete the project Arborist should assess that the subject trees have been retained in the same condition and vigour. If changes to condition are identified the project Arborist should provide recommendations for remediation.

11. HOLD POINTS

11.1 **Hold Points:** Below is a sequence of hold points requiring project Arborist certification throughout the development process**.** The hold points must be checked and certified. All certification must be provided in written format upon completion of the development. The final certification must include details of any instructions for remediation undertaken during the development.

Hold Point	Stage	Responsibility	Certification	Complete Y/N and date
Project Arborist to hold pre construction site meeting with principle contractor to discuss methods and importance of tree protection measures and resolve any issues in relation to feasibility of tree protection requirements that may arise.	Prior to work commencing.	Principle contractor	Project Arborist	
Project Arborist To supervise all pruning works to retained trees.	Prior to works commencing	Principal Contractor	Project Arborist	
Project Arborist to assess and certify that tree protection has been installed in accordance with section 11 and AS4970-2009 prior to works commencing at site.	Prior to development work commencing.	Principle contractor	Project Arborist	
In accordance with AS4970-2009 the project arborist should carryout regular site inspections to ensure works are carried out in accordance with the recommendations. I recommend site inspections on a bi-monthly frequency.	Ongoing throughout the development	Principle contractor	Project Arborist	
Project Arborist to oversee all excavations and demolition inside the TPZ of any tree to be retained.	Construction	Principle contractor	Project Arborist	
Project Arborist to certify that all pruning of roots greater than 40mm in diameter has been carried out in accordance with AS4373-2007. All root pruning must be carried out by a qualified Arborist/Horticulturalist with a minimum AQF level 3.	Construction	Principle contractor	Project Arborist	
Project Arborist to certify that all underground services including storm water inside TPZ of any tree to be retained have been installed in accordance with AS4970-2009.	Construction	Principle contractor	Project Arborist	
All landscaping works/boundary walls within the TPZ of trees to be retained are to be undertaken in consultation with the project Arborist to minimize the impact to trees.	Landscape	Principle contractor	Project Arborist	

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Date prepared: 19th May 2025

Hold Point	Stage	Responsibility	Certification	Complete Y/N and date
After all construction works are complete the project Arborist should assess that the subject trees have been retained in the same condition and vigor and authorize the removal of protective fencing. If changes to condition are identified the project Arborist should provide recommendations for remediation.	Upon completion of construction	Principle contractor	Project Arborist	
Any wounding or injury that occurs to a tree during the demolition/construction process will require the project arborist to be contacted for an assessment of the injury and provide mitigation/remediation advice. All remediation work is to be carried out by the project arborist, at the contractor's expense.	Ongoing throughout the development	Principle contractor	Project Arborist	

12. BIBLIOGRAPHY/REFERENCES

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13. LIST OF APPENDICES

The following are included in the appendices:

Appendix 1 – Proposed Site Plan
Appendix 1A – Proposed Plan
Appendix 3 – Health
Appendix 4 – Landscape Value
Appendix 5 – Age Class
Appendix 6 – Structural Condition
Appendix 7 – SULE Categories
Appendix 8 – Trees AZ Field Sheet
Appendix 9 – TPZ Encroachment Examples

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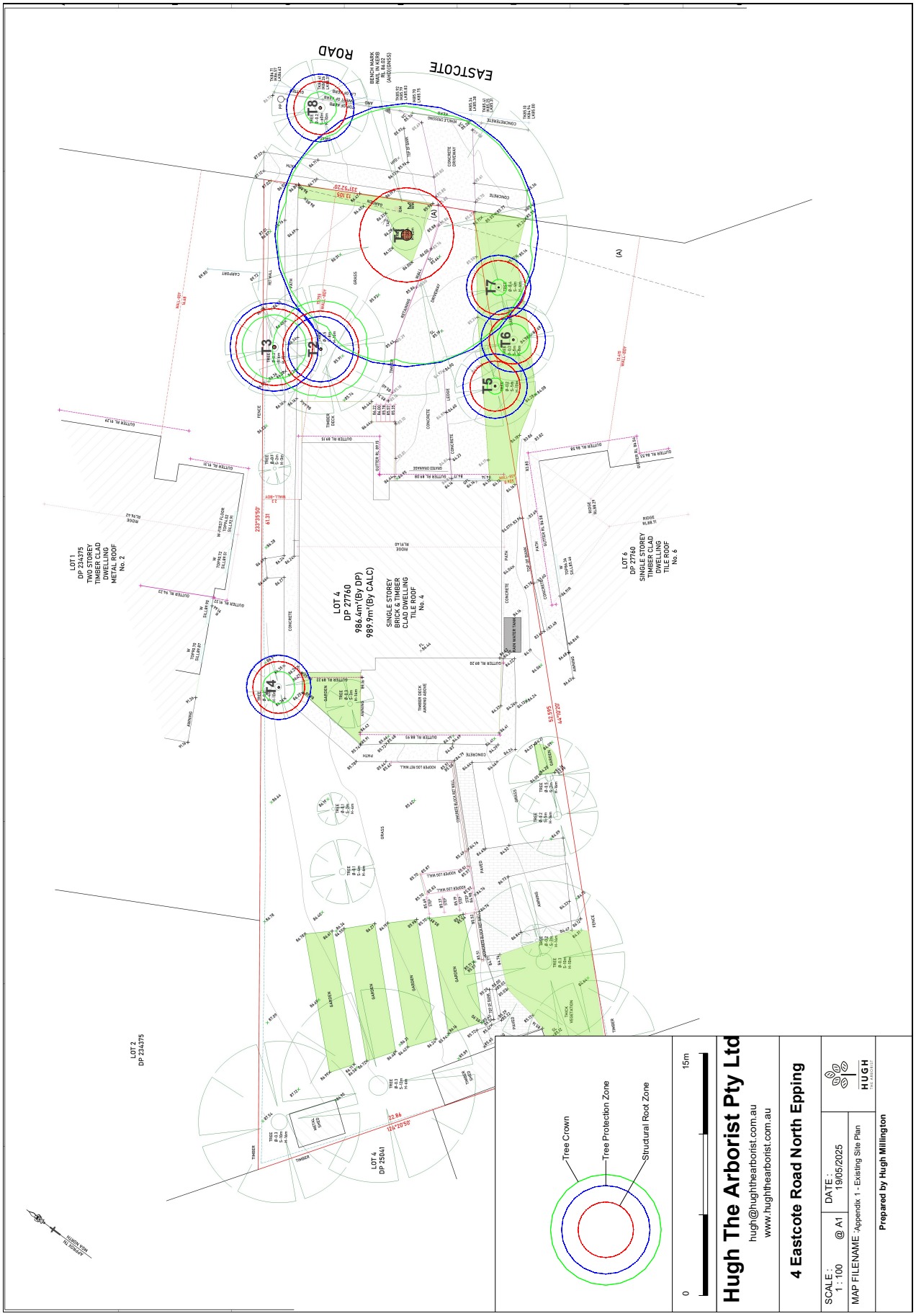
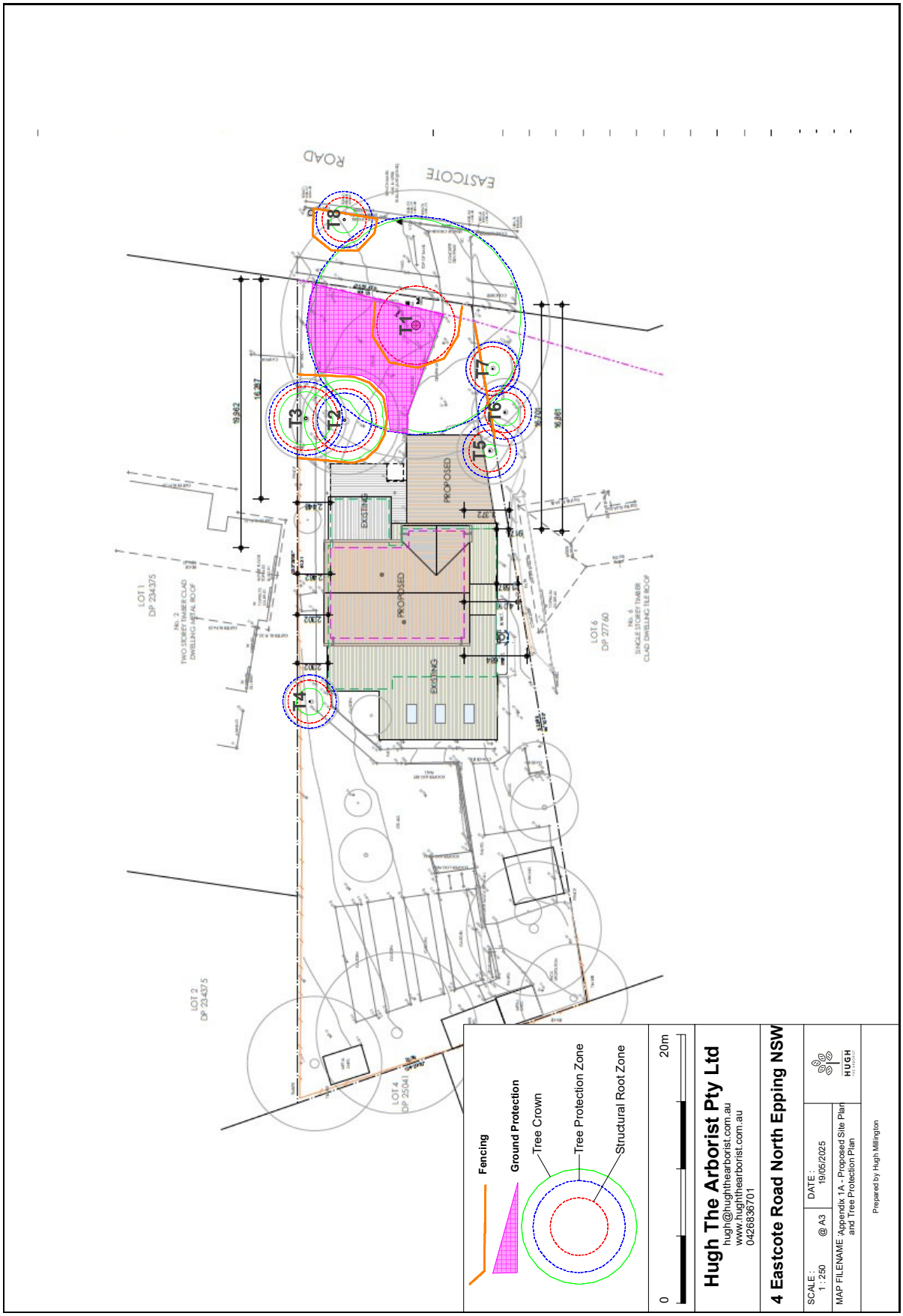
ATTACHMENT 3 - ITEM 3



ATTACHMENT 3 - ITEM 3



Appendix 2 - Tree Inspection Schedule

Tree ID	Common Name	Botanical Name	Age Class	Height (m)	Canopy Spread Radius (m)	Stem 1 (mm)	Stem 2 (mm)	Stem 3	Stem 4	Stem 5	Stem 6	DBH (mm)	DAB (mm)	Health	Structure	Amenity Value	SULE	Retention Value	TPZ Radius (m)	SRZ Radius (m)	Notes
1	Spotted Gum	*Corymbia maculata*	Mature	18	8	680						680	750	Good	Good	High	1. Long	A1	8.2	2.9	
2	Saucer Magnolia	*Magnolia x soulangiana*	Mature	5	3	120	65	80	40	45		169	450	Good	Good	Medium	1. Long	A1	2.0	2.4	
3	Japanese Camellia	*Camellia japonica*	Mature	5	2	155	160	110	100	105		288	460	Good	Good	Medium	1. Long	A1	3.5	2.4	
4	Bay	*Laurus nobilis*	Mature	6	1	90	70	50				124	180	Good	Good	Low	1. Long	Z1	2.0	1.6	Replaceable and 1.8m to house
5	Sasanqua	*Camellia Sasanqua*	Mature	5	0.5	95	80					124	165	Good	Good	Low	1. Long	Z1	2.0	1.6	Replaceable
6	Viburnam Spp.	*Viburnam Spp.*	Mature	4	1	50	90	50				114	150	Good	Good	Low	1. Long	Z1	2.0	1.5	Replaceable
7	Port Wine Magnolia	*Michelia figo*	Mature	3	0.5	30	30	45	50	30		85	200	Good	Good	Low	1. Long	Z1	2.0	1.7	Replaceable
8	Blue Jacaranda	*Jacaranda mimosifolia*	Semi-mature	5	1	175						175	192	Good	Poor	Low	2. Medium	Z10	2.1	1.7	Street tree lopped for power lines all epicormic

Explanatory Notes

Tree Species - Botanical name followed by common name in brackets. Where species is unknown it is indicated with an '*spp*'.
Age Class - Over mature (OM), Mature (M), Early mature (EM), Semi mature (SM), Young (Y), Dead (D).
Diameter at Breast Height (DBH) - Measured with a DBH tape or estimated at approximately 1.4m above ground level. Where DBH has been estimated it is indicated with an 'est'.

Diameter Above root Buttresses (DAB): Measured with a DBH tape or estimated above root buttresses (DAB) for calculating the SRZ.
Height - Height from ground level to top of crown. All heights are estimated unless otherwise indicated.
Spread - Radius of crown at widest section. All tree spreads are estimated unless otherwise indicated.
Tree Protection Zone (TPZ) - DBH x 12. Measured in radius from the centre of the trunk. Rounded to nearest 0.1m. For monocots, the TPZ is set at 1 metre outside the crown projection.
Structural Root Zone (SRZ) - $(DAB \times 50)^{0.42} \times 0.64$. Measured in radius from the centre of the trunk. Rounded up to nearest 0.1m.
Health - Good/Fair/Poor/Dead
Structure - Good/Fair/Poor
Safe Useful Life Expectancy (SULE) - 1. Long (40+years), 2. Medium (15 - 40 years), 3. Short (5 - 15 years), 4. Remove (under 5 years), 5. Small/young.
Amenity Value - Very High/High/Medium/Low/Very Low.
(x) Indicates the measurement taken for the diameter at tree base above the buttress roots.
(E) Indicates estimated measurements.

ATTACHMENT 3 - ITEM 3

Appendix 3 – Assessment of Health

Category	Example condition	Summary
Good	• Crown has good foliage density for species. • Tree shows no or minimal signs of pathogens that are unlikely to have an effect on the health of the tree. • Tree is displaying good vigour and reactive growth development.	• The tree is in above average health and condition and no remedial works are required.
Fair	• The tree may be starting to dieback or have over 25% deadwood. • Tree may have slightly reduced crown density or thinning. • There may be some discolouration of foliage. • Average reactive growth development. • There may be early signs of pathogens which may further deteriorate the health of the tree. • There may be epicormic growth indicating increased levels of stress within the tree.	• The tree is in below average health and condition and may require remedial works to improve the trees health.
Poor	• The may be in decline, have extensive dieback or have over 30% deadwood. • The canopy may be sparse or the leaves may be unusually small for species. • Pathogens or pests are having a significant detrimental effect on the tree health.	• The tree is displaying low levels of health and removal or remedial works may be required.
Dead	• The tree is dead or almost dead.	• The tree should generally be removed.

Appendix 4 Landscape Value

RATING	HERITAGE VALUE	ECOLOGICAL VALUE	AMENITY VALUE
1. SIGNIFICANT	The subject tree is listed as a Heritage Item under the Local Environment Plan (LEP) with a local, state or national level of significance or is listed on Council's Significant Tree Register	The subject tree is scheduled as a Threatened Species as defined under the Threatened Species Conservation Act 1995 (NSW) or the Environmental Protection and Biodiversity Conservation Act 1999	The subject tree has a very large live crown size exceeding 300m² with normal to dense foliage cover, is located in a visually prominent position in the landscape, exhibits very good form and habit typical of the species
	The subject tree forms part of the curtilage of a Heritage Item (building /structure /artefact as defined under the LEP) and has a known or documented association with that item	The tree is a locally indigenous species, representative of the original vegetation of the area and is known as an important food, shelter or nesting tree for endangered or threatened fauna species	The subject tree makes a significant contribution to the amenity and visual character of the area by creating a sense of place or creating a sense of identity
	The subject tree is a Commemorative Planting having been planted by an important historical person (s) or to Commemorate an important historical event	The subject tree is a Remnant Tree, being a tree in existence prior to development of the area	The tree is visually prominent in view from surrounding areas, being a landmark or visible from a considerable distance
2. VERY HIGH	The tree has a strong historical association with a heritage item (building/structure/artefact/garden etc) within or adjacent the property and/or exemplifies a particular era or style of landscape design associated with the original development of the site.	The tree is a locally-indigenous species, representative of the original vegetation of the area and is a dominant or associated canopy species of an Endangered Ecological Community (EEC) formerly occurring in the area occupied by the site.	The subject tree has a very large live crown size exceeding 200m²; a crown density exceeding 70% (normal--dense), is a very good representative of the species in terms of its form and branching habit or is aesthetically distinctive and makes a positive contribution to the visual character and the amenity of the area
3. HIGH	The tree has a suspected historical association with a heritage item or landscape supported by anecdotal or visual evidence	The tree is a locally-indigenous species and representative of the original vegetation of the area and the tree is located within a defined Vegetation Link / Wildlife Corridor or has known wildlife habitat value	The subject tree has a large live crown size exceeding 100m²; The tree is a good representative of the species in terms of its form and branching habit with minor deviations from normal (e.g. crown distortion/suppression) with a crown density of at least 70% normal); The subject tree is visible from the street and surrounding properties and makes a positive contribution to the visual character and the amenity of the area
4. MODERATE	The tree has no known or suspected historical association, but does not detract or diminish the value of the item and is sympathetic to the original era of planting.	The subject tree is a non-local native or exotic species that is protected under the provisions of this DCP.	The subject tree has a medium live crown size exceeding 40m²;The tree is a fair representative of the species, exhibiting moderate deviations from typical form (distortion/suppression etc) with a crowndensity of more than 50% (thinning to normal); and The tree is visible from surrounding properties, but is not visually prominent – view may be partially obscured by other vegetation or built forms. The tree makes a fair contribution to the visual character and amenity of the area.
5. LOW	The subject tree detracts from heritage values or diminishes the value of a heritage item	The subject tree is scheduled as exempt (not protected) under the provisions of this DCP due to its species, nuisance or position relative to buildings or other structures.	The subject tree has a small live crown size of less than 40m² and can be replaced within the short term (5–10 years) with new tree planting
6. VERY LOW	The subject tree is causing significant damage to a heritage Item.	The subject tree is listed as an Environment Weed Species in the Local Government Area, being invasive, or is a known nuisance species.	The subject tree is not visible from surrounding properties (visibility obscured) and makes a negligible contribution or has a negative impact on the amenity and visual character of the area. The tree is a poor representative of the species, showing significant deviations from the typical form and branching habit with a crown density of less than 50% (sparse).
7. INSIGNIFICANT	The tree is completely dead and has no visible habitat value	The tree is a declared Noxious Weed under the Noxious Weeds Act (NSW) 1993 within the relevant Local Government Area.	The tree is completely dead and represents a potential hazard.

Ref: *Determining the retention value of trees of development sites,* presentation handouts at TAFE NSW Ryde College, March 2012

Appendix 5 - Age class

Determining the exact age of a tree is difficult without carrying out potentially invasive testing. The age class of the subject tree has been estimated using the definitions below.

Category	Description
Young/Newly planted	• Young or recently planted tree.
Semi Mature	• Up to 20% of the usual life expectancy for the species.
Early mature/Mature	• Between 20% - 80% of the usual life expectancy for the species.
Over mature	• Over 80% of the usual life expectancy for the species.
Dead	• Tree is dead or almost dead.

Appendix 6 - Structural condition

Category	Example condition	Summary
Good	• Branch unions appear to be strong with no sign of defects. • There are no significant cavities. • The tree is unlikely to fail in usual conditions. • The tree has a balanced crown shape and form.	• The tree is considered structurally good with well developed form.
Fair	• The tree may have minor structural defects within the structure of the crown that could potentially develop into more significant defects. • The tree may a cavity that is currently unlikely to fail but may deteriorate in the future. • The tree is an unbalanced shape or leans significantly. • The tree may have minor damage to its roots. • The root plate may have moved in the past but the tree has now compensated for this. • Branches may be rubbing or crossing.	• The identified defects are unlikely cause major failure. • Some branch failure may occur in usual conditions. • Remedial works can be undertaken to alleviate potential defects.
Poor	• The tree has significant structural defects. • Branch unions may be poor or weak. • The tree may have a cavity or cavities with excessive levels of decay that could cause catastrophic failure. • The tree may have root damage or is displaying signs of recent movement. • The tree crown may have poor weight distribution which could cause failure.	• The identified defects are likely to cause either partial or whole failure of the tree.

Appendix 7 - Safe Useful Life Expectancy (SULE), (Barrel, 2001)

A trees safe useful life expectancy is determined by assessing a number of different factors including the health and vitality, estimated age in relation to expected life expectancy for the species, structural defects, and remedial works that could allow retention in the existing situation.

Category	Description
1. Long	Useful life expectancy over 40 years
2. Medium	Useful life expectancy 15 to 40 years
3. Short	Useful life expectancy 5 to 15 years
4. Remove	Useful life expectancy under 5 years
5. Small/Young	Trees that could be transplanted or replaced with similar specimen.
6. Unstable	Tree has become hazardous or structurally unstable.

TreeAZ Categories (Version 10.04-ANZ)

CAUTION: TreeAZ assessments must be carried out by a competent person qualified and experienced in arboriculture. The following category descriptions are designed to be a brief field reference and are not intended to be self-explanatory. They must be read in conjunction with the most current explanations published at www.TreeAZ.com.

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 recognized court or tribunal would be likely to authorize removal, i.e. dominance, debris, interference, etc
Z8	Excessive, severe and intolerable damage to property to the extent that a locally recognized court or tribunal would be likely to authorize 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 categorization 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.

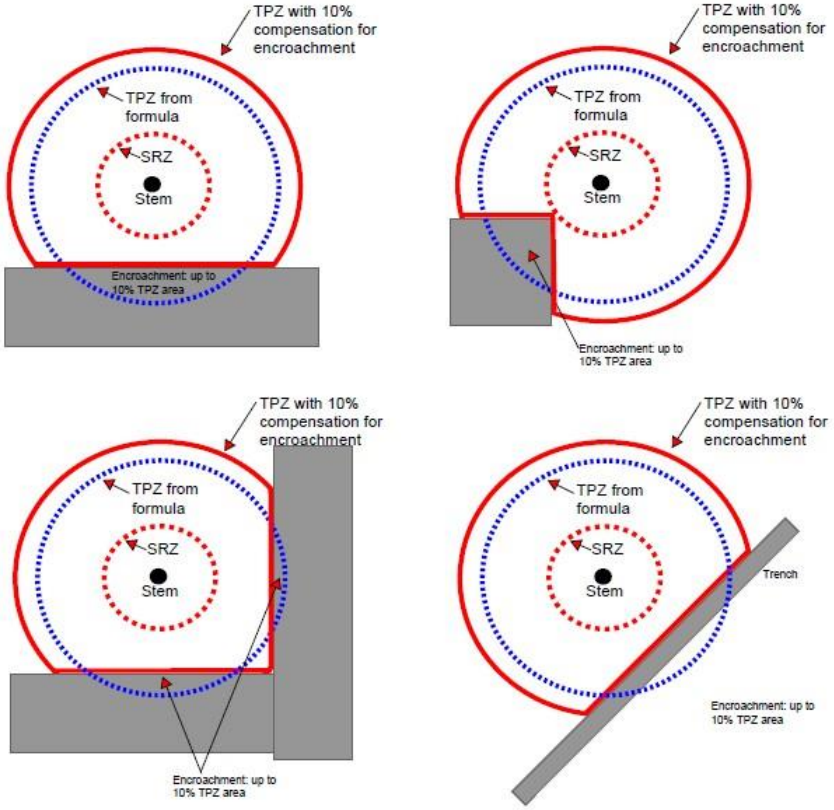
Category A: Important trees suitable for retention for more than 10 years and worthy of being a material constraint

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 categorization hierarchy and should be given the most weight in any selection process.

Appendix 9 – Examples of TPZ Encroachment

Encroachment into the Tree Protection Zone is sometimes unavoidable. The following diagram shows examples of acceptable levels of encroachment and how they may be compensated for by providing additional space contiguous to the TPZ area.



Note: Less than 10% TPZ area and outside SRZ. Any loss of TPZ compensated for elsewhere.