

**From:** Holly Palmer  
**Sent:** Friday, 9 March 2018 9:24 AM  
**To:** Lisa Foley  
**Cc:** Judith Portelli  
**Subject:** Questions from Panel regarding trees - 38 Cudgegong Rd, Rouse Hill - JRPP-15-02107 - 2016SYW086

Hi Lisa,

Thank you for your email.

This site has a previous approval for subdivision of the site in DA-15-01552. This included the removal of trees in the new public road areas and the new development lots. However did not permit the removal of trees in the eastern portion of the site, being the land zoned RE1 Public Recreation. Therefore the portion of the site which is the subject of this application for the Residential Flat Buildings has approval for the removal of trees.

Any trees near the western boundary are within the easement for the transmission line and easement for access and maintenance to Cudgegong Road.

The 6 m building setback to the southern boundary is a deep soil zone and also includes provision for underground stormwater connections and landscaping. The basement levels also have 2 cut out areas which provide deep soil areas between Buildings B and C, and C and D.

I have contacted the Applicant to discuss the trees in the building setback area to the south, as the proposed landscape plans indicate that 13 trees in this area may be retained. However, this does not agree to other plans, the information in their Statement of Environmental Effects and the Arborist Report.

I assume that the previous planner had verbal discussions / emails with the Applicant that I was unaware of, which would explain this discrepancy.

My apologies for this oversight, and I will confirm after I have spoken with the Applicant (this afternoon or Monday) if these trees are being retained.

We can adjust this in the recommended conditions of consent as required.

Feel free to contact me with any questions.

**Kind Regards,**

**Holly Palmer**  
**Senior Project Planner**  
**Blacktown City Council**

**From:** Lisa Foley  
**Sent:** Friday, 9 March 2018 8:54 AM  
**To:** Holly Palmer

**Cc:** Judith Portelli

**Subject:** Questions from Panel regarding trees - 38 Cudgegong Rd, Rouse Hill - 2016SYW086

Dear Holly

Thank you for your time on the phone.

One or two Panel members have raised concerns about the removal of trees on the site. Please see their concerns below.

1. There are 12 eucalypt trees (11 mature) along the southern boundary of the site adjacent to the chain wire fence (which we assume is the boundary fence). Given there is a 6 metre setback, we do not see the necessity of removing these trees.
2. There are a further 4 mature eucalypt trees on the western boundary, probably the minimum distance from the overhead electricity wires. Does the western setback include these trees?
3. Attachment 7 clause 5.9 "preservation of trees or vegetation": "The proposal is for the removal of all existing trees and vegetation". Complies: "Yes". Question: how can removal of all trees comply with preservation? We can find no explanation or justification for the removal of ALL trees in the documentation. Yet Attachment 5, clause 1.2, says "This application does not include ... removal of trees (excluding 13 trees along the southern boundary) ..." These items have been approved in DA-15-01552, and are subject to further amendment in modification application MOD-17-00512 which is currently under assessment." We find this poorly written and hence ambiguous, and Judy we ask simply: Have these trees on the southern boundary been approved for removal or conditioned for preservation? (We note that one of the 13 said trees is dead, hence our figure of 12.) Or does this consideration come under MOD-17-00512 (still to be decided) as suggested by para 4.4 of the Report to the Panel?

Could you please respond with an email or memo addressing these concerns?

Kind regards,  
Lisa Foley  
Project Officer  
Planning Panels Secretariat



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