

SUPPLEMENTARY SUBMISSIONS REPORT AUGUST 2019

Issue	Specific Matter	Comment/ Assessment
Construction	During construction, what building inspectors will be responsible (Council or State) of all works including drainage in all areas.	<p>If consent were granted a detailed environmental and construction management plan would be required to be submitted.</p> <p>The Heritage Council have inspectors monitoring that the works comply with the S60 conditions. A heritage consultant would be assigned to the development that will verify that the policies for the place would be followed.</p> <p>If consent were granted, the applicant/owner may select either a Private Certifier, or Council to undertake inspections. This is at the discretion of the applicant/owner.</p>
	Dust and air pollution from construction, construction Noise, construction traffic, dilapidation.	<p>If consent were to be granted a condition would be required for payment of a bond.</p> <p>A Construction Management Plan would be required to be prepared prior to issue of a construction certificate if consent were to be granted.</p> <p>If consent were to be granted a condition would be required to be imposed regarding dilapidation, and hours of construction.</p>
Traffic and parking, site access	Because the land is a corner block, what signage is proposed for traffic parking and movement?	This has been discussed in the original assessment report prepared for 28 June 2018 Meeting and in the current assessment report
	During peak periods we have concern for traffic around Heathcote railway station, Heathcote High School and John Paul Village	This matter has been discussed in the previous assessment report prepared for 28 June 2018.
	Bridge Capacity (one way in/out) and traffic capacity/safety	This matter has been discussed in the previous assessment report prepared for 28 June 2018.
	There would need to be additional parking spaces at Heathcote railway station.	This site is approximately 600m walk from Heathcote Train Station.
Urban Design	Inconsistent with CI 6.16 and 6.17 of the LEP - Urban Design	This matter has been discussed in current assessment report prepared in response to the Deferred matters issued by the SSPP.
	Neighbourhood/Local character and amenity	<p>In terms of Local Character – the NSW Department of Planning has recently exhibited a Discussion Paper and Guideline on preparing Local Character Overlays. It is proposed that Overlays would set the boundaries of character areas, establish development considerations, and require that development proposals address the local character aspirations and development controls.</p> <p>At this time the Sutherland Shire Local Government Area does not have local character overlays.</p> <p>This matter has been further discussed in current assessment report prepared in response to the Deferred matters issued by the SSPP.</p>

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LEP/DCP	<p>"The proposal is a surreptitious spot rezoning"/ The application should have been made as a Planning Proposal</p>	<p>The Heritage provisions (cl5.10 of SSLEP2015) allow Council to consider an application for 'any purpose' (even though development for that purpose would otherwise not be allowed by the Plan), if the consent authority is satisfied that conservation is facilitated by the granting of consent and the proposed development would not have any significant adverse effect on the amenity of the surrounding area (see Clause 5.10(10)). The clause does not allow you to exceed a development standard – hence the need for an appropriate Cl4.6 Variation Application</p> <p>The application is not a de facto 'spot rezoning' - the proposal is contingent on restoring the Heritage Item in accordance with a heritage management document, without adversely affect the heritage significance – carrying out the required works prior to occupation certificate and in accordance with any General Terms issued by the Heritage Council.</p> <p>The site will not be rezoned as a result of this application.</p>
	Inconsistent with E4 zoning	This matter has been discussed in current assessment report prepared in response to the Deferred matters issued by the SSPP.
	Height/ Clause 4.6	This matter has been discussed in current assessment report prepared in response to the Deferred matters issued by the SSPP.
	The analysis of F.S.R for this proposal is difficult to calculate. The site area which forms the very basis of the numerical analysis cannot be sustained	The proposal complies with the Floor Space Ratio as per the SSLEP 2015
	Provisions of Clause 5.10.10 with respect to amenity	This matter has been discussed in current assessment report prepared in response to the Deferred matters issued by the SSPP.
Heritage	<p>The site is subject to a permanent Conservation order at Local, State and National level</p>	<p>Heathcote Hall is currently listed as a heritage item of State significance under SSLEP2015.</p> <p>Heathcote Hall was originally protected by a Permanent Conservation Order under the Heritage Act (Listing No. 00191) in the Government Gazette dated 8 April 1982 (GG No.50, page 1596). The State Heritage Register was established in April 1999 under amendments to the Heritage Act. The Register all places formerly protected by Permanent Conservation Orders.</p> <p>The State Heritage Register is kept by the Heritage Council.</p>

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	<p>The Heritage trees of Dillwynnia Grove adjacent the Hall, were removed from the Heritage listing</p>	<p>In 2006, the State Heritage Office compelled Councils to list natural landforms and trees as part of the then Schedule 6 of the Sutherland Shire Local Environmental Plan 2006 (SSLEP2006). The community recommended trees and landforms which they were added to the Schedule without further research.</p> <p>The heritage listing under SSLEP2006 was as follows: East Heathcote <i>Dillwynnia Grove—cultural street trees, Lophostemon confertus (Brush Box)—T11</i></p> <p>The preparation of Sutherland Shire Local Environmental Plan 2015 took several years. The draft plan which was referred to the Department of Planning in 2013 for gazettal maintained the same listing and geographical extent as under SSLEP2006.</p> <p>In 2013 Council secured a Grant from the State Heritage Division to engage an independent Heritage Consultant to review all the listings and create appropriate inventories that showed not only the natural contribution to the shire of those items but the history behind them.</p> <p>The significance of the trees in Dillwynnia Grove, according to the Inventory Sheet is:</p> <p><i>“The site evidences Interwar civic beautification works using indigenous species. The place is a fine example of Interwar civic beautification works. The site has landmark and scenic qualities. The site has a high level of integrity. The group is a rare example of early street beautification works. The group demonstrates principal characteristics of early avenue planting in the Sutherland Shire.”</i></p> <p>The description of the item supports the fact that the beautification works only extended to 22 Dillwynnia Grove. Other trees on the street may have natural value however the heritage status usually requires significance in at least two of the State Heritage Assessment Criteria. In this case it will be the historical background of beautification works during Post War. The group is significant in 4 criteria: Historical – Aesthetic – Rarity – Representativeness.</p> <p>As a result of this research the trees at Dillwynnia Grove were found to be incorrectly mapped in SSLEP2015. The following information was supported by Council and the Heritage Sub Committee.</p> <p><i>“With respect to Heathcote, the Community Based Heritage Review recommended that the mapping of the cultural street trees, Lophostemon confertus (Brush Box), located in the road reserve in Dillwynnia Grove, Heathcote (Item 1702) be reduced to cover from Wilson Parade to 22 Dillwynnia Grove, only. It appears that the cultural planting of Brush Box street trees only extends to 22 Dillwynnia Grove. <u>It is noted that the heritage listing of Heathcote Hall and grounds of Heathcote Hall (item 1703) remains unchanged.</u>”</i></p> <p>The current description of the item is as follows <i>“The planting is located in a road reserve of Dillwynnia Grove. The setting is suburban. The site is</i></p>
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Bushfire	Loss of lives due to bushfire	The NSW RFS have reviewed the submitted documentation and have advised that their previous General Terms of Approval dated 27 April 2018 are still relevant and applicable.
	Roads below widths specified by NSW RFS 2006 documents	<p>The NSW RFS have reviewed the submitted documentation and have advised that their previous General Terms of Approval dated 27 April 2018 are still relevant and applicable.</p> <p>As the development is integrated with the NSW RFS, they are responsible for the assessment of the bushfire matters relating to this application.</p>
Amenity and Design	Overdevelopment/	This has been discussed in the original assessment report prepared for 28 June 2018 Meeting and in the current assessment report.
	Loss of trees	This matter is discussed in the original assessment report.
Use of the Hall	What is the commercial use of the Hall?	As the application currently stands, since amendment, the use of the Hall itself is not known, or proposed as part of this application.
Traffic and parking	Parking, impact upon on street parking, and traffic	On site resident parking complies with the requirements of the DCP 2015. This is discussed further in the assessment report prepared for 28 June 2018 meeting and in the current assessment report.
	<p>Bridge Capacity (one way in/out) and traffic capacity/safety</p> <p>Ability to get emergency services into the National Park/ Heathcote East./How will emergency vehicles enter Heathcote East in a bushfire, including whilst residents are trying to leave?</p>	<p>This matter has been discussed in the previous assessment report prepared for 28 June 2018.</p> <p>In the event of an emergency, the Local Emergency Management Committee coordinates evacuation, which can include train and traffic management.</p>