

Attachment 4 - Wollongong Development Control Plan 2009 Assessment

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP as detailed below.

The application submission contains a BASIX Certificate indicating minimum requirements with regard to energy and water efficiency and thermal comfort are met. The stormwater management plan details the Water Sensitive Urban Design strategies to be incorporated in the development.

Generally speaking, the proposal is considered to be consistent with the principles of ecologically sustainable development.

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

4.0 General Residential controls

Controls/objectives	Comment	Compliance
<u>4.13 Fire Brigade Servicing</u> <ul style="list-style-type: none">All dwellings located within 60m of a fire hydrant	The subject site can be adequately serviced by fire fighting vehicles in this circumstance. Details of the application were referred to the NSW Rural Fire Service for comment. Advice received indicates that the proposal is conditionally satisfactory.	Yes
<u>4.14 Services</u> <ul style="list-style-type: none">Encourage early consideration of servicing requirements	Water, electricity, sewage and telephone services are already available to the site. It is expected that the existing utility services can be augmented to support the proposed development.	Yes
<u>4.16 View sharing</u> <ul style="list-style-type: none">To protect and enhance view sharing, significant view corridorsA range of view sharing measures to be considered for building design	The proposed development will have minimal impact on view corridors of existing development.	Yes
<u>4.17 Retaining walls</u> <ul style="list-style-type: none">To ensure well designed retaining walls that are structurally sound	The proposed retaining walls are considered acceptable in this circumstance.	Yes

6 Residential Flat Buildings

It is noted that the proposed residential flat building component of the development is subject to SEPP 65 and as such an assessment of the proposed residential flat building against the ADG is required to be undertaken.

SEPP 65 Clause 6A(2) indicates that in the event that a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which the ADG applies, those provisions are of no effect. However certain matters in Council's DCP still require assessment against relevant controls for all components of the development.

Overall, the proposed development has been considered against the provisions of WDCP 2009 below and found to be acceptable.

Controls/objectives	Comment	Compliance
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<p><u>6.1 General</u></p>		
<p><u>6.2 Minimum Site Width Requirement</u></p>		
<p>This clause prescribes a minimum site width of 24m for residential flat buildings.</p>	<p>The subject site has a minimum site frontage of 195.953m to West Dapto Road and 155.112m to Darkes Road.</p>	<p>Yes</p>
<p><u>6.3 Front Setbacks</u></p>		
<p>A 6m minimum is required to the primary road frontage with a 3m minimum to secondary street frontage for corner allotments. Balconies may be setback 900mm closer.</p>	<p>The following front setbacks are proposed: To Darkes Road (Primary) 10m (Block D)</p>	<p>Yes</p>
<p>Darkes Road and West Dapto Road have been considered primary roads with the Road 1 frontage considered a secondary frontage.</p>	<p>To West Dapto Road and Road 1 (Secondary) Block A: 6.64m to building façade. 6m to West Dapto Road (Balcony) 2.175m to Road 1 (Balcony)</p>	<p>Yes Yes Yes</p>
	<p>Block B</p>	
	<p>6m to building façade. 5.63m to West Dapto Road (Balcony)</p>	<p>Yes Yes</p>
	<p>Block C</p>	
	<p>6 to building façade. 5.63m to West Dapto Road (Balcony)</p>	<p>Yes Yes</p>
<p><u>6.4 Side and Rear Setbacks / Building Separation</u></p>		
<p>A minimum of 6m is required for buildings up to 4 storeys where a habitable room /balcony faces the boundary.</p>	<p>The subject site is almost triangular in shape with road frontage on the full length of two (2) sides and partial frontage to Southern boundary which has been taken as the rear boundary. Block E has a setback of 17.03m to the Southern boundary. See 3F ADG assessment at Attachment 3</p>	<p>See 3F ADG assessment at Attachment 3</p>
<p><u>6.5 Built Form</u></p>		
	<p>It is considered that the buildings have been designed by a qualified designer in accordance with SEPP65. The application submission included Design Verification Statement.</p>	<p>Yes</p>
	<p>The locality is one undergoing transition with the character to change from a rural area to the future desired character of a town centre as is evidenced by zoning, floor space ratio, building height and minimum lot size mapping as at Attachment 2. There are 2 other significant subdivision developments under consideration in close proximity of the site.</p>	

	<p>The bulk and scale of the development is consistent with the applicable planning controls for the area inclusive of building height, floor space ratio, street frontage heights, building setbacks and other built form controls. The development is not considered to be out of context with regard to the desired future character of the area.</p> <p>The scale of the development is likely to give rise to some visual impacts on the area given the area is in transition from rural to residential development with smaller residential lots proposed for the adjoining property to the South. However there is a vegetation buffer proposed to the South of the proposed development and West Dapto Road separates the proposal from the proposed subdivision to the West. It is considered that the proposed is reflective of the likely character expected to emerge over time in this precinct of the West Dapto Urban Release Area when the Floor Space Ratio, Building Height and Minimum subdivision lot size mapping as Attachment 2 are taken into consideration.</p> <p>The design of the development is considered to positively contribute to the public domain, addresses all street frontages and provides high level of amenity for the occupants by way of landscaped areas, private open space, communal open space and the like.</p> <p>Further comments on built form are provided in the ADG assessment at Attachment 3</p>	
<u>6.6 Visual privacy</u>	<p>The objectives, design criteria and design guidance for visual privacy in residential flat building development are provided in the Part 3 of the ADG. As such the proposed development has been assessed against objectives, design criteria and design guidance of the ADG for visual privacy at Part 3F ADG assessment at Attachment 3</p> <p>It is considered that reasonable separation distances have been maintained between buildings and the site boundary.</p> <p>It is considered that the buildings have been designed to increase privacy without compromising access to sunlight.</p>	See 3F ADG assessment at Attachment 3
<u>6.7 Acoustic privacy</u>	<p>The objectives, design criteria and design guidance for acoustic privacy in residential flat building development are provided in the Part 4 of the ADG. As such the proposed development has been assessed against objectives, design criteria and design</p>	See 4H ADG assessment at Attachment 3

	<p>guidance of the ADG for acoustic privacy at Part 4H ADG assessment at Attachment 3.</p> <p>It is noted that adequate building separation is proposed, see comments for Clause 6.6 above.</p> <p>Noisy rooms within each unit are located adjacent or above similar rooms. Any consent issued by Council would require the development to be constructed in accordance with BCA requirements.</p>	
<p>6.8 Car Parking Requirements</p> <p>1 car parking space per dwelling (<70m²) or 1.5 car parking spaces per dwelling (70-110m²) or 2 car parking spaces per dwelling (>110m²), plus 0.2 car parking spaces per dwelling for visitors.</p> <p>1 bicycle space per 3 dwellings (residents) and 1 bicycle space per 12 dwellings (visitors).</p> <p>1 motorcycle space per 15 dwellings</p> <p>Large Rigid Vehicle (Waste Contractor)</p> <p>>10 dwellings – side loading waste collection vehicle</p>	<ul style="list-style-type: none"> • 170 car parking spaces (including 11 spaces capable of adaption for people with disabilities, and 22 visitor car parking spaces) • A minimum of 7 motorcycle parking spaces • 36 secure (class B) residential bicycle spaces • 9 visitor bicycle spaces (class C). <p>Advice received from Council's Traffic Officer indicates that the proposal is considered conditionally satisfactory with regards to Council's car parking requirements.</p>	Yes
<p>6.9 Basement Car Parking</p>	<p>The scale and siting of the proposed basement carparking level is such that the development as proposed satisfies Council's minimum landscaped area and deep soil zone requirements.</p> <p>The roof of the basement carparking level does not protrude greater than 1.2m above natural or finished ground level.</p> <p>Landscaping has been incorporated forward of each block addressing the street.</p> <p>Setbacks:</p> <ul style="list-style-type: none"> • 6m to West Dapto Road frontage; • Approx 11m to rear Southern boundary; • Approx 10m from Darkes Road frontage; <p>It is considered that ventilation has been oriented away from habitable rooms and private open space areas.</p>	Yes
<p>6.10 Access Requirements</p>	<p>Details of the application were referred to Council's Traffic Officer for comments. Advice received indicates that access arrangements including dimensions and grades are conditionally satisfactory.</p>	Yes
<p>6.11 Landscaping Requirements</p> <p>30% of the site area to be provided</p>	<p>Approximately 53% of site area (7769m²)</p>	Yes

as landscaping	provided as landscaping. Details of the application submission including landscaping plans were referred to Council's Landscape and Environment Officers for comment. Conditionally satisfactory referral advice was received in both instances.	
<u>6.12 Deep Soil Zone</u> 15% site area = 2185m ²	DSZ = 2470m ² (16.95% of Site Area) Details of the application submission including landscaping plans and a Vegetation Management Plan (VMP) were referred to Council's Landscape and Environment Officers for comment. Conditionally satisfactory referral advice was received in both instances.	Yes
<u>6.13 Communal Open Space</u> Development with more than 10 dwelling must have communal open space calculated at a rate of 5m ² per dwelling (540m ² req'd)	The development as proposed provides for communal open space areas along the north, central and southern areas of the site comprising approximately 4350m ² in area or 30% of the site area Further comments on Communal Open Space are provided in Part 3D of the ADG assessment at Attachment 3	Yes
<u>6.14 Private Open Space</u>	The objectives, design criteria and design guidance for private open space in residential flat building development are provided in the Part 4 of the ADG. As such the proposed development has been assessed against objectives, design criteria and design guidance of the ADG for private open space at Part 4E ADG assessment at Attachment 3 .	See 4E ADG assessment at Attachment 3
<u>6.15 Adaptable Housing</u> 10% of dwellings must be designed to be capable of adaptation. (Min req'd 0.1 x 108 = 10.8)	11 Units provided capable of adaptation.	Yes
<u>6.16 Access for People with a Disability</u>	The proposed development is considered satisfactory with regards to Access for People with a Disability in this circumstance. The application submission including a specialist Access Consultants report was referred to Council's Community Services and Traffic Officers for comment with satisfactory referral advice, comments and/or draft conditions provided.	Yes

6.17 Apartment Size and Layout
Mix for Larger Residential Flat
Building Developments

Min 10% studio or 1 BR

There are seven (7) apartment types ranging from 52m² to 88m² in area with a mixture of 1 and 2 bedroom units proposed. The breakdown of 1 and 2 bedroom units is as follows:

29 x 1 BR

79 x 2 BR

Eleven (11) adaptable units are proposed.

Apartment mix has been assessed under Part 4K of ADG assessment at **Attachment 3**

Yes

6.18 Solar Access

The objectives, design criteria and design guidance for solar and daylight access in residential flat building development are provided in the Part 4 of the ADG. As such the proposed development has been assessed against objectives, design criteria and design guidance of the ADG for solar and daylight access at Part 4A of ADG assessment at **Attachment 3**.

77% of the 108 units (ie. 84 units) will achieve more than 2 hrs sunlight on June 21.

See 4A of ADG assessment at **Attachment 3**

6.19 Natural Ventilation

The objectives, design criteria and design guidance for natural ventilation in residential flat building development are provided in the Part 4 of the ADG. As such the proposed development has been assessed against objectives, design criteria and design guidance of the ADG for natural ventilation at Part 4B of ADG assessment at **Attachment 3**.

67% of the 108 units (72) will be cross ventilated.

See 4B of ADG assessment at **Attachment 3**

CHAPTER D1 – CHARACTER STATEMENTS

Kembla Grange

Chapter D1 indicates that Kembla Grange comprises of light industrial and heavy industrial zoned land, as well as low and medium density residentially zoned land. Chapter D1 indicates that the residentially zoned lands will enable a range of housing types including detached dwelling houses, secondary dwelling, attached dwellings, dual occupancies, medium density villas and townhouses, residential flat buildings and senior living facilities.

The proposal provides for a residential flat building development consisting of five (5) separate four (4) storey apartment blocks containing a total of 108 apartments and associated infrastructure.

The existing character of development in the locality is predominantly rural development with some low density residential development in the Lynden View Stage 1 subdivision to the South west, scale and character evident.

The neighbourhood however is one in transition, with the character to change from a rural area to the future desired character of a town centre as some nearby sites including the adjoining property to the South are subdivided into low and medium density residential lots with a business zone in the town centre to the South west as depicted on the Darkes Road South West and West Dapto Road/Sheaffes Road (South) Neighbourhood Plans as at Figures 2 and 3 of the planning assessment report. WDCP 2009 Chapter D16 indicates that Council's intention for the Darkes Road town centre is to create a local retail, business, commercial and community hub to service the release area.

The proposed development is a permissible use in the R3 zone and satisfies controls for residential flat buildings under Wollongong Development Control Plan 2009. Therefore the proposal is considered to be consistent with the existing and desired future character for the locality.

PRECINCT PLAN – Chapter D16: West Dapto Release Area

3 Objectives

It is considered that the proposal whilst does not involve any built form (i.e. dwellings) it is generally consistent with the objectives of this chapter.

4 Urban Structure

The site forms part of Stages 1 & 2 of WLEP(West Dapto) 2010 and is located in and immediately south west of the proposed Darkes Road Town Centre. The proposed temporary sales and information centre will facilitate the sale of lots within the future subdivision allowing the development potential for dwellings in the future.

5 Neighbourhood Plans

A Neighbourhood Plan has been submitted that includes the site subject to this development application that has been endorsed and adopted. Refer to Figure 2 of the planning assessment report. Matters that need to be addressed in the development application have been submitted and are considered in the assessment of this application.

The controls provided in section 5.3.7 in the adopted neighbourhood plan for the site are generally not applicable to the proposed development. However it is considered that reasonable setbacks and building heights have been maintained in this circumstance.

6 Development Controls

The subject site itself is not located within the Darkes Road town centre therefore it is considered Section 6.1 is not applicable in this circumstance.

6.3 General Development Controls

The general development controls in section 6.3 of this chapter are applicable to this application.

Chapters E1, E2, E6, E16, E20 and E22 have been considered and are discussed further below.

6.3.1 Flora and fauna

The proposed development is to be located on a generally cleared portion of land on the subject site and will have minimal impact on the existing flora and fauna on the subject site.

Details of the application submission including a Flora and Fauna Assessment Report, Arborist Report, Vegetation Management Plan (VMP) and Bushfire Report were referred to Council's Environment and Landscape Officers for comment. These plans and documents show retention and management of all trees within the EEC/CEEC Illawarra Lowlands Grassy Woodland/Illawarra and South Coast Lowland Forest and Woodland in the north and south of the site. Draft conditions as at **Attachment 6** require compliance with the VMP Flora and fauna Assessment, Arborist Report and Ecological conditions

6.3.2 Heritage

NSW Office of Environment and Heritage (OEH) and Council's Heritage Officer has provided conditionally satisfactory referral advice. OEH and Council's Heritage Officers comments in this regard are outlined in section 1.6.1 of the assessment report, further discussion of Indigenous heritage is provided in Clause 5.10 of WLEP 2009 of the assessment report and below in Chapter E10 of WDCP 2009.

6.3.3 View and Vistas

The subject site is land identified to be located within landscape management zones A and B.

Land within the release area has been assessed for visual quality. Land falls into three categories of visual sensitivity, as indicated on Figure 6.5 and in the following table:

Zone	Objective
Zone A: High Concern for Visual Resource	Development within areas of high scenic quality must be sympathetic to that visual quality as the ability of the area to absorb change is low.
Zone B: Moderate Concern for Visual Resource	Changes to landforms, final contouring and revegetation programs will significantly contribute to reduce the visual impact and therefore must be minimised wherever possible.
Zone C: Low Concern for Visual Resource	Proposed development within this zone should remain visually subordinate to the characteristic existing landscape (note figure 6.5 does not show any land as Zone C)

A visual impact assessment was not provided by the applicant with the development application. It is considered that the proposed development will have minimal impact on view corridors and vistas through to the Illawarra Escarpment located westward in the approved Neighbourhood Plan when the retention and revegetation of the significant vegetation communities to the North and South of the site are taken into consideration. It is considered reasonable building heights and setbacks have been maintained. Therefore a visual impact assessment is not considered necessary in this instance. The proposal is compliant with the maximum allowable height in the R3 zone of 13m. The maximum allowable height for retail and commercial buildings in the Darkes Road Town Centre into the future is 20m with buildings up to 6 storeys within the B2 zone. Overall, it is considered the proposed development has been designed and sited so as to not adversely impact on the scenic quality of the release area and surrounding visual catchment.

6.3.4 Water Management

Comments have been received from both Council's Environment and Stormwater Officers in relation to water management. Advice received indicates that the proposal is conditionally satisfactory. Council's Environment and Stormwater Officers comments are outlined in section 1.6.1 of the assessment report and further discussion is provided at Chapter E14 and E15 below.

6.3.5 Riparian Corridors

Not Applicable

6.3.6 Open Space and Recreation

Not Applicable. The subject site is private lot.

Communal Open Space has however been provided for the development in accordance with requirements of the ADG and Council's development control plan.

6.3.7 Acid Sulfate Soils

The subject site is identified as being affected by Class 4 and Class 5 acid sulphate soils. The application submission included a geotechnical assessment of the site including testing for the presence of acid sulphate soils on the site. The geotechnical assessment concluded that further assessment of acid sulphate soils risks and development of management plans is unlikely to be required. Council's Environment Officer has considered the application submission and raised no issues with regards to Acid Sulphate Soils.

6.3.8 Services

A condition will be imposed upon the development consent requiring approval from the relevant authorities for the connection of electricity, water and sewage to service the site. It is understood that

these services are available to be connected and extended to accommodate the proposed development.

6.3.9 Subdivision layout

Not Applicable.

6.3.10 The Road System

Council's Traffic Officer has reviewed the application submission and considered it satisfactory subject to consent conditions. For Council's Traffic Officers comments please see Section 1.6.1 of the assessment report.

6.3.11 Areas under easement

There are no easements located within the site.

6.3.12 Schools and facilities

Not in the area of the neighbourhood plan.

6.3.13 Employment Area

The subject site is not in an employment area.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

The proposed development is considered satisfactory with regards to Access for People with a Disability in this circumstance. The application submission including a specialist Access Consultants report was referred to Council's Community Services and Traffic Officers for comment with satisfactory referral advice, comments and/or draft conditions provided.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	Lighting to public areas to be provided according to AS1158. Entries are to be appropriately lit.	Yes
<u>3.2 Natural surveillance and sightlines</u>	The proposed development does account for and will improve natural surveillance of adjoining properties and the street.	Yes
<u>3.3 Signage</u>	Appropriate directional signage will be provided within the develop site and within the road corridor. Draft conditions regarding signage are included at Attachment 6 of this report.	Yes
<u>3.4 Building design</u>	It is considered that the proposed development satisfies CPTED principles in minimising areas of entrapment and concealment, natural surveillance and access controls. Details of the application submission were reviewed by the NSW Police and Council's Safer Communities Officer and no issues were raised with regards to Building Design.	Yes
<u>3.5 Landscaping</u>	It is considered that the proposed development satisfies CPTED principles in	Yes

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
	<p>minimising areas of entrapment and concealment, natural surveillance and access controls.</p> <p>Details of the application submission were reviewed by Council's Safer Communities Officer and no issues were raised with regards to Landscaping subject to draft conditions as Attachment 6.</p>	
<u>3.6 Public open space and parks.</u>	Not Applicable. The proposal is not opposite an area of public open space or park.	N/A
<u>3.7 Community facilities & Public Amenities</u>	Not Applicable.	N/A
<u>3.8 Bus stops and taxi ranks</u>	Not Applicable. The subject site is not opposite bus stop or taxi rank.	N/A

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

Details of the application submission were referred to Council's Traffic Officer. Council's Traffic Officer has no objections to the proposed access, car parking and servicing arrangements subject to conditions as at **Attachment 6**.

	<i>Rate</i>	<i>Calculation</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
<i>Car parking</i>	1 car parking space per dwelling (<70m ²) or 1.5 car parking spaces per dwelling (70-110m ²) or 2 car parking spaces per dwelling (>110m ²), plus 0.2 car parking spaces per dwelling for visitors.	Resident Spaces = (29 x 1) + (79 x 1.5) Visitor Spaces = 0.2 x 108	148 Spaces 21.6 Visitor Spaces	148 Spaces 22 Visitor Spaces	Yes
<i>Bicycle parking</i>	1 bicycle space per 3 dwellings (residents) and 1 bicycle space per 12 dwellings (visitors).	108/3 Resident Spaces 108/12 Visitor Spaces	36 Resident Spaces 9 Visitor Spaces	36 Resident Spaces 9 Visitor Spaces	Yes
<i>Motorbike</i>	1 motorcycle space per 15 dwellings	108 units/15	7 Spaces	7 Spaces	Yes
<i>Large Rigid Vehicle (Waste Contractor)</i>					Yes

CHAPTER E6: LANDSCAPING

The proposed landscape plan was referred to Council's Landscape Officer for comment with referral advice indicating the proposal as satisfactory subject to draft conditions as at **Attachment 6**.

CHAPTER E7: WASTE MANAGEMENT

The proposed development is to be serviced by private waste contractors. Council's Traffic Officer has reviewed the proposal providing conditionally satisfactory referral advice.

CHAPTER E10 ABORIGINAL HERITAGE

The application submission contains an Aboriginal Due Diligence Assessment. Details of the application submission including the Due Diligence Assessment were referred to OEH and Council's Heritage Officer to assess the proposal's compliance with Part 5.10 of WLEP2009 and Chapter E10 of WDCP2009. Advice received indicates there are no issues with the proposal subject to draft conditions as at **Attachment 6**.

Draft heritage conditions as at **Attachment 6** specify steps to be taken in the event Aboriginal objects or remains are discovered during the course of the proposed excavation works including cessation of works until the find is assessed by a qualified archaeologist and contacting OEH, Aboriginal stakeholders and the NSW Police.

CHAPTER E12 GEOTECHNICAL ASSESSMENT

The application has been reviewed by Council's Geotechnical Engineer in relation to site stability and the suitability of the site for the development. Appropriate conditions have been recommended and are included at **Attachment 6**.

CHAPTER E13 FLOODPLAIN MANAGEMENT

Council's Stormwater Officer has reviewed the proposal providing conditionally satisfactory referral advice.

CHAPTER E14 STORMWATER MANAGEMENT

Council's Stormwater Officer has reviewed the proposal providing conditionally satisfactory referral advice.

CHAPTER E15 WATER SENSITIVE URBAN DESIGN

The proposal seeks a residential apartment buildings involving more than 20 apartment therefore the proposal requires the incorporation of appropriate water sensitive urban design measures for the development. A Stormwater and WSUD Strategy Report were submitted with the application submission. The application was referred to Council's Environment Officer for comment. No issues were raised in regards to WSUD subject to draft conditions of consent included at **Attachment 6**.

CHAPTER E16 BUSHFIRE MANAGEMENT

Council records indicate that the subject site is located within a bushfire prone area therefore the proposal has been assessed having regard to the provisions of Planning for Bushfire Protection (PBP) 2006.

The applicant has submitted a bushfire assessment report prepared by Bushfire & Evacuation Solutions a FPAA accredited consultant with the application that explains the likely impact of the proposal and how it proposes to minimise these impacts.

The NSW RFS Fast Fact 4/12 Increased Density on a Single Parcel of Land dated September 2012 indicates that "the presence of additional dwellings impacts on the evacuation and sheltering of residents during a bush fire. There may also be the potential to subdivide the dwellings at a later date when compliance with Planning for Bush Fire Protection 2006 (PBP) may not be achieved". As such multiple occupancies are not granted the same concessions from PBP 2006 that single dwellings are. Direction from the NSW RFS is that applications for multiple occupancies even if subdivision is not applied for are to be referred to the NSW RFS under Section 4.14 however the application will be assessed as if the referral was under Section 100B of the Rural Fires Act 1997 so that the NSW RFS can determine whether adequate separation distances (APZ's), construction, access, water and landscaping can be provided.

As such the application was referred to the NSW RFS for comments with conditionally satisfactory referral advice received.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

The application proposes the removal of several trees to facilitate the proposal. Council's Landscape and Environment Officers have assessed the application submission, which included an Arborist Report, Flora and Fauna report and Vegetation Management Plan (VMP). Conditionally satisfactory referral advice was received and draft conditions as at **Attachment 6** specify compliance with the VMP, trees to be removed, trees to be retained, compensatory plantings and tree protection and management.

CHAPTER E18 THREATENED SPECIES

The application submission has been assessed in regards to threatened species. It is noted that particular consideration was given to the areas of the subject site mapped as Natural Resource Sensitivity – Biodiversity which coincides with areas of the Illawarra Lowlands Grassy Woodland community. Initial concerns were raised regarding impacts on the Illawarra Lowlands Community to the North and South of the site. Amended plans, Flora and Fauna Assessment Report, Arborist Report, Vegetation Management Plan (VMP) and Bushfire Report were provided by the applicant that now retain and manage all trees within the EEC/CEEC Illawarra Lowlands Grassy Woodland/Illawarra and South Coast Lowland Forest and Woodland in the north and south of the site resolving concerns raised. Draft conditions as at **Attachment 6** require compliance with the VMP Flora and fauna Assessment, Arborist Report and Ecological conditions.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves excavation to facilitate the basement car parking. A geotechnical report and information regarding the earthworks to reshape the land were submitted with the application.

The application was referred to Council's Stormwater, Geotechnical and Environment Officers for comment and no objections were raised in relation to this matter subject to conditions of consent included at **Attachment 6**. Therefore it is considered that the earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses and features of the surrounding land.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

A Stage 1 Contamination Assessment, Stage 2 – Detailed Site Investigation Report (DSI) and Amended Interim Site Audit Letter have been submitted. The Stage 2 DSI has been accompanied by a review letter prepared by a Certified Environmental Consultant which concludes the DSI is acceptable in accordance with SEPP 55. These documents have been reviewed and are considered acceptable subject to draft conditions as at **Attachment 6**. These conditions include the requirement for a Site Audit Statement and Site Audit Report, Construction Environmental Management Plan (including a Soil Management Plan and Dewatering Plan), and recommendations of the DSI.

CHAPTER E21 DEMOLITION AND ASBESTOS MANAGEMENT

The proposal includes demolition works. Draft conditions are included in **Attachment 6** of this report to minimise impacts and ensure that demolition is carried out to Council's and Work Safe's requirements and AS 2601- Demolition of Structures.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent are recommended in regard to appropriate sediment and erosion control measures to be in place during works.

Details of the application submission including the Stormwater Management Plan and soil and water management plans as is required for disturbances greater than 2500m² were referred to Council's Environment and Stormwater Officers for comments. Advice received indicates that the proposal is conditionally satisfactory