



planning consultants

Statement of Environmental Effects

Place of Public Worship, Tourist and Visitor Accommodation, Café
and ancillary facilities.

119 Cliff Drive and 34 Violet Street, Katoomba

Prepared for: Katoomba Christian Convention
February 2018

Printed: 22 February 2018
File Name: P:\PROJECTS\9469B 119 Cliff Drive, Katoomba\Reports\9469B.KO SEE.docx
Project Manager: K. Osborne
Client: Katoomba Christian Convention
Project Number: 9469B

Document Control

Version	Prepared By	Reviewed By	Issued To	Date
Draft	K. Osborne	W. Gosling	KCC/NBRS	15 February 2018
Final	K. Osborne		Council	22 February 2018

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Abbreviations

AADT	annual average daily vehicle trips
AHD	Australian Height Datum
AS	Australian Standard
ASS	acid sulfate soils
BCA	Building Code of Australia
BTA	bushfire threat assessment
CIV	capital investment value
Council	Blue Mountains City Council
DA	development application
DCP	development control plan
DFP	DFP Planning Pty Limited
DVT	daily vehicle trip
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	environmental planning instrument
ESCP	erosion and sedimentation control plan
ESD	ecologically sustainable development
HIS	heritage impact statement
LEP	local environmental plan
LGA	local government area
NorBE	Neutral or Beneficial Effect
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPWS	NSW National Parks and Wildlife Service
OEH	NSW Office of Environment and Heritage
REP	regional environmental plan
RFS	NSW Rural Fire Service
RF Act	<i>Rural Fires Act 1997</i>
RL	reduced level
SEE	Statement of Environmental Effects
SEPP	state environmental planning policy
SULE	safe useful life expectancy
TSC Act	<i>Threatened Species Conservation Act 1995</i>
vtph	vehicle trips per hour
WM Act	<i>Water Management Act 2000</i>
WSUD	water sensitive urban design

1 Introduction

1.1 Commission

DFP has been commissioned by Katoomba Christian Convention (KCC) to prepare a Statement of Environmental Effects (SEE) for a place of public worship (comprising auditorium and breakout spaces/meeting rooms), visitor accommodation, café, car parking and ancillary uses at 119 Cliff Drive and 34 Violet Street, Katoomba (the Site).

This report is to accompany a development application (DA) to Blue Mountains Council (Council) for the proposed development which comprises:

- Demolition of the existing auditorium and construction of a new 3,500 seat auditorium to be used as a place of public worship.
- Removal of trees and site excavation for the new buildings.
- A new bookshop building to replace the existing bookshop building. The building will also include new toilet facilities.
- Seven new breakout spaces/meeting rooms, ancillary to the auditorium.
- A new reception building with store rooms.
- Demolition of the existing 200 seat dining hall and construction of a new dining hall with 500 seat capacity, kitchen; laundry, storage, reception and administration space;
- A new café fronting Violet Street.
- Demolition of the existing accommodation buildings and construction of new accommodation buildings including six Ecolodges (with 56 beds each lodge) and three Ecochalets (18 beds each);
- New internal access roads and car parking areas; and
- Landscaping.

1.2 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies with all relevant information necessary to assess the subject development proposal and to determine the DA in accordance with Section 80 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

The proposed development has a capital investment value of \$57 million and therefore the consent authority for the proposed development is the Sydney Western City Planning Panel.

The proposed development is also Integrated Development pursuant to Part 4 Division 5 of the EPA Act as it requires an Authorisation under section 100B of the Rural Fires Act 1997 (RFA) from the Commissioner of the NSW Rural Fire Service, being a special fire protection purpose development.

The proposal also requires the concurrence of Water NSW under *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*.

1.3 Material Relied Upon

This SEE has been prepared by DFP based on information referred to herein and/or appended to this report and a Site inspection undertaken on in March and July 2016 and July 2017.

2 Background

2.1 Introduction

The first Katoomba Christian Convention was held in 1903, in Katoomba and was a formal gathering of Christian people at a house known as 'Khandala' at the end of Katoomba Street. The gatherings or conventions were held each Christmas and by the 1930's about 800 people were attending.

In the 1940's KCC operated from a site in Forester Road, near Echo Point and in the 1950's the current site was acquired and KCC has operated from the site since that time. In 1957 building approval for the auditorium was granted and the auditorium was later extended and amenities block constructed. In 1985 the site was zoned Special Uses 5ACU (Church).

KCC continues as an interdenominational ministry providing Bible preaching to Christians. The bible preaching and study activities held on the site are known as 'Conventions' but would be defined as a 'place of public worship'. KCC currently holds seven 'conventions' throughout the year, with a number of these running over 2–3 consecutive weekends. The annual Katoomba Easter Convention (KEC) for bible studies and programs held over the Easter long weekend is one of the largest activities on the site. In 2017, 3,100 attended the KEC (2,200 adults and 910 children) and 320 volunteers assist with running of the worship and study program (the volunteers are not additional to the total attendees).

The site also hosts the annual Church Missionary Society (CMS) Summer School, an event organised by the Church Missionary Society during the first week of January. CMS Summer School includes bible study, prayer time and missionary study.

2.2 Previous Development Consents

KCC has numerous consents for the use of the site and construction of facilities over 60 years. These consents are summarised in **Table 1**.

Table 1 Previous Development Consents			
Date	Application Reference No.	Description	Land (Lot, DP)
22 October 1957	109/57	Building approval for the main auditorium 14-30 Violet St Katoomba	Lot 5 DP 222736
6 September 1963	BA89/63 D08/01154	Development approval for new amenities block 14-30 Violet St Katoomba	Lot 5 DP 222736 14-30 Violet St Katoomba
3 December 1985	D08/00309	Zoning of the site as a Special Uses 5ACU (church)	Lot 5 DP 222736 14-30 Violet St Katoomba
20 November 1987	DA5420	Additions to the main auditorium 14-30 Violet St Katoomba	Lot 5 DP 222736 14-30 Violet St Katoomba
30 December 1996	D96/1200	Development approval for addition to Caretakers Cottage 14-30 Violet St Katoomba	Lot 5 DP 222736 14-30 Violet St Katoomba
30 December 1996	DA1200/96	Additions & alterations to existing meeting room and Caretakers Cottage 14-30 Violet St Katoomba	Lot 5 DP 222736 14-30 Violet St Katoomba
19 February 1997	B97/95	Building approval for additions and alterations to Managers Kitchen 14-30 Violet St Katoomba	Lot 5 DP 222736 14-30 Violet St Katoomba
13 December 2011	X/541/2010	Alterations and additions comprising meeting rooms, offices, dining hall,	Lot 5 DP 22736

2 Background

		amenities, bookshop and parking. Consent not acted upon and lapsed on 13 December 2016	
2 July 2012	X/819/2011	Car parking on Clairvaux Oval site. The consent has been taken up.	Lot 1 DP 112828
6 January 2017	X/819/2011	Modification of Development consent X/819/2011 including changes to car parking layout and design	Lot 1 DP 112828

As noted above, DA X/541/2010 was approved on 13 December 2011 and comprised additions to the existing facilities including new seminar rooms, a new bookshop with meeting rooms above, dining hall, amenities, parking and a new awning to the auditorium. The DA also approved the removal of trees (approximately 200) to facilitate the buildings work and for Asset Protection Zone purposes.

These works were generally located around the main plaza and the approved bookshop building was 11m in height. The DA approval limited the number of attendees to 3,000 people, with the exception of two events per year.

This development consent lapsed on 13 December 2016 and was not acted upon as it did not provide a new auditorium or accommodation facilities.

DA X/819/2011 for car parking on Clairvaux Oval, was granted on 2 July 2012 and a section 96 modification application was approved on 6 January 2017. Preliminary works have been undertaken and the development consent has been secured.

The development consent (as modified) is for the establishment of a car parking facility for KCC comprising 684 car parking spaces and set-down/pick-up coach bays. The approved works include a gravel sealed surface area at the eastern end of the oval comprising 266 spaces, which will be typically used more frequently during smaller events. The remainder of the oval will provide parking overflow for 418 cars during larger events and reflective of the periodic use of the oval for overflow car parking and the infrequent high demand usage of the whole oval for car parking.

The modified car park design includes a 60m² bio swale raingarden, 180m³ above ground on-site detention in the car parking area and enviropods in the proposed drainage pits.

The conditions of consent also require the registration of an easement over the Clairvaux Oval site in favour of the Lot 5 DP 222736 (119 Cliff Drive) for access and car parking.

2.3 Pre-DA Meeting

A pre-DA meeting was held with Council on 10 February 2017. The scope of the development the subject of the pre-DA discussion was a Masterplan for the staged redevelopment of the KCC land at 119 Cliff Drive, Katoomba (also known as 14-30 Violet Street) and 1-19 Cedar Street, Katoomba (Clairvaux Oval). The staged development application was to seek approval for a 'masterplan' for the development of the site and concurrent approval for the first stage of works to be undertaken.

The masterplan concept for the site proposed the following:

- New auditorium;
- Bookshop and breakout spaces (rooms) and reception building around the existing plaza;

2 Background

- Seminar buildings;
- Dining Hall;
- New accommodation buildings including ecolodges and chalets; and
- Car parking areas (including car parking on Clairvaux Oval).

The concept sought to provide improved and upgraded facilities for KCC activities as well as providing facilities that will cater for other activities of a smaller scale. The masterplan also sought to provide significantly improved accommodation facilities on the site.

The masterplan proposal involved the demolition and replacement of most of the existing buildings and temporary structures with new like-use buildings and had an estimated cost value for the total redevelopment of \$90-100 million. The masterplan concept required multiple stages of development over an approximate 20 year period.

A copy of the pre-DA meeting notes is included at **Appendix 1**. The key issues raised included:

- Amendments to Blue Mountains Local Environmental Plan 2015, including changes to the building height controls applying to the site;
- Permissibility and categorisation of proposed uses. Council advised that some of the component uses may require separate categorization depending on the nature and frequency of independent operation. Concern was raised that frequent use of the facilities outside regular KCC activities has the potential to shift the place of worship character of the site toward a commercial character;
- Eco-tourist accommodation in the Zone E4 part of the site is unlikely to be supportable.
- Environmental constraints including bushfire and heritage are to be addressed. The development is to be designed around the asset protection zones to ensure adequate retention of vegetation for screening. The extent of the required asset protection zones is to have regard to the BLEP Protected Area objectives.
- Traffic and parking impacts. It was noted that the size and capacity of the development will be constrained by the number of parking spaces required to service the development that can be reasonably accommodated on the site.
- A Plan of Management will be required to minimise impacts on the surrounding residential area and local road network.

Since the pre-DA meeting, KCC has reviewed the scope of the then proposed Masterplan Staged DA and reduced the scope of the proposed development. As described in Section 1, the proposed application is now only seeking approval for works on 119 Cliff Drive, Katoomba.

No changes to the existing facilities on KCC land at 1-19 Cedar Street (known as the Clairvaux Oval site) are proposed. The land at 1-19 Cedar Street includes Clairvaux Oval (used for car parking), three dormitory style accommodation buildings known as Kedumba, Clairvaux and Hartley House, recreational facilities including a playground and a basketball court. In addition, the Ecolodges on the E4 zoned land are no longer proposed. Consent is also not being sought for a masterplan Staged development application.

3 Site Context

3.1 Location

The Site is located at 119 Cliff Drive and 34 Violet Street, Katoomba and is approximately 3km from Katoomba Town Centre and 2km from Echo Point. Scenic World is located directly east of the site. A site location plan is included at **Figure 1**.

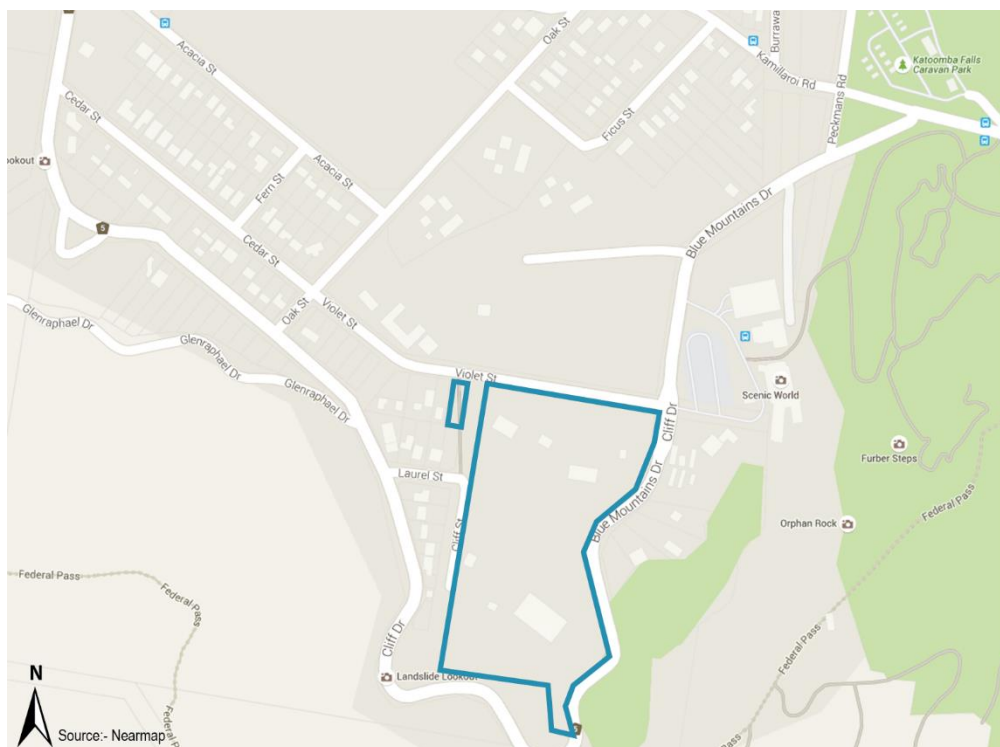


Figure 1 Site Location

3.2 Site Description

The site the subject of this application comprises two lots being:

- Lot 5 DP 222736 at 119 Cliff Drive, Katoomba (also known as 14-30 Violet Street, Katoomba); and
- Lot 4, DP 2060, known as 34 Violet Street, Katoomba.

119 Cliff Drive is 5.2ha in area and 34 Violet Street is 968m². The total site area is approximately 5.3ha.

A site survey is included at **Appendix 2**.

The site has a general fall to the north, from the crest of a ridge line to the south of the auditorium to Violet Street. The fall is approximately 40 metres from RL1000m (ridge behind auditorium) to RL 959 (eastern end of Violet Street).

The sloping topography results in varying levels within the site as follows:

- RL 965 - RL980, along the Cliff Drive boundary,
- RL983 around the auditorium;
- RL 985 for the plaza area;
- RL 986-987 around the camping ground; and
- RL 968 around "The Lodge".

There is a ridge line that generally runs along the western boundary of the site. A secondary ridgeline bisects the site in an east-west direction, near the main driveway from Cliff Drive and the camp ground area.

3 Site Context

119 Cliff Drive contains several buildings including the auditorium and plaza, bookshop, administration buildings, dining hall and accommodation lodges and camping area. 119 Cliff Drive is situated on a cliff top that slopes in a north-east direction with gradients of between 5-15%. The site has one ephemeral drainage line which runs in an easterly direction across Cliff Drive. The eastern edge of the site forms part of the escarpment along Cliff Drive.

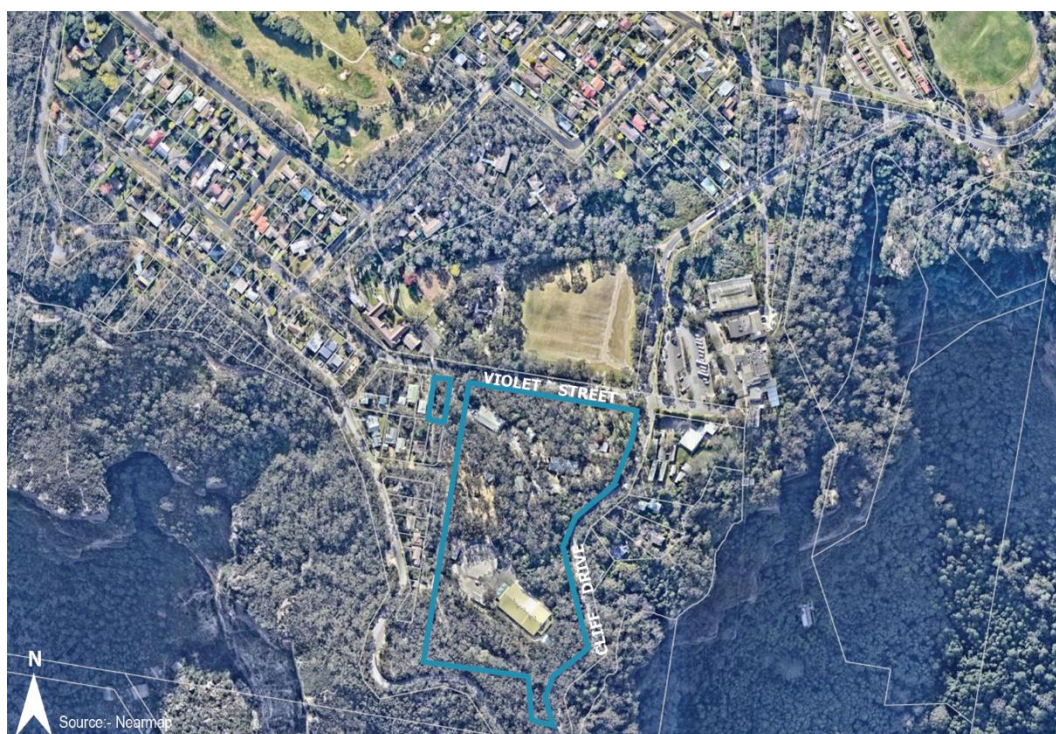
The site has substantial vegetation comprising open forest, scattered trees and landscape garden areas and is bushfire prone land. A camping area is located to the north of the plaza and accessible via Laurel Street, an unformed road.

34 Violet Street is currently vacant and an accessway/fire trail runs through part of the site.

The soil type is Medlow Bath Soils, moderately deep, well drained Lithosols/siliceous sands. The site is underlain by the Triassic Age Banks Wall Sandstone within the Narrabeen Group. Sandstone rock outcrops are present on the site.

The main vehicular access into the site is from Cliff Drive. Secondary access into the site is via Laurel Street and Cliff Street. The main pedestrian access is from Violet Street.

An aerial photograph of the site is shown in **Figure 2**.



Existing Buildings and Facilities

The existing buildings and facilities on the site are detailed in **Table 2**.

Table 2 Existing Buildings and Facilities	
Place of Public Worship/ Non-Accommodation Uses	Person Capacity
Auditorium	2,300
Dining Hall	200
Bookshop	N/A
Plaza Cottage	N/A
Office	N/A

3 Site Context

Table 2 Existing Buildings and Facilities

Store/Sheds	N/A
Amenities (2 blocks)	N/A
Accommodation Facilities	Accommodation/Beds
Wollemi House	15
Jamison	153
The Lodge	32
Megalong	20
Camping Area	150

Photographs of the site are shown at **Figure 2** and include:

1. View of the existing fire trail on 3 Violet Street.
2. The Dining Hall
3. Site Office
4. Campground
5. View of site from Cliff Drive/Violet Street intersection
6. Main site entry at 119 Cliff Drive
7. Auditorium and Plaza
8. Wollemi House

3. Site Context

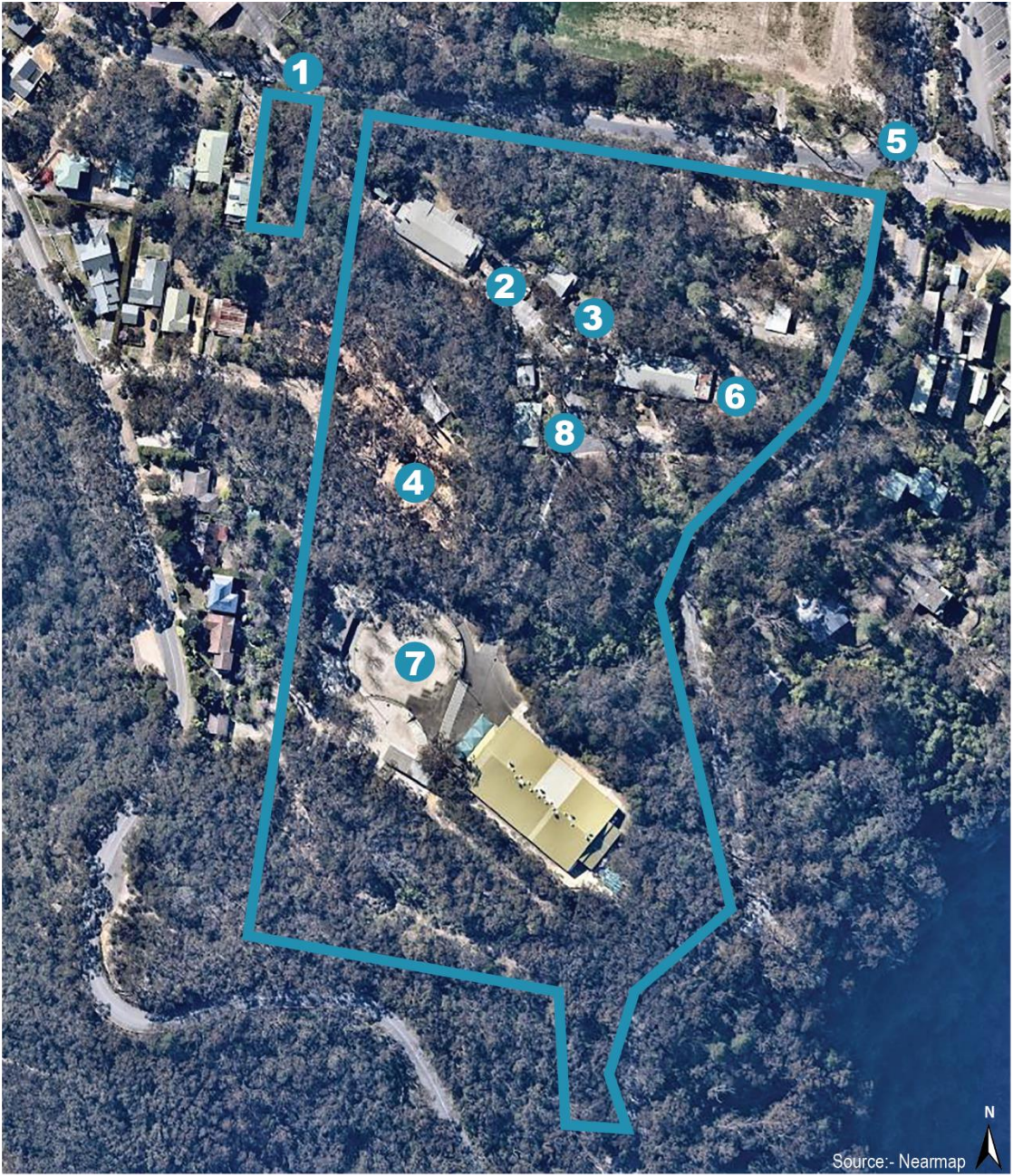


Figure 2 Site photos

3. Site Context

Vegetation

Three vegetation communities have been identified on the site which are:

- Dry Open Forest (*Eucalyptus piperita* and *Eucalyptus sieberi*);
- Moist Open Forest; and
- Disturbed land with Scattered Trees and Garden Beds.

The dry open forest is the dominant vegetation community and covers approximately 50% of the site. The open forest has a canopy cover of approximately 25% to 45% and height of up to 25m. The understorey consists of shrubs up to 3m high as well as groundcover of herbs, ferns and grasses. The majority of the dry Open Forest vegetation community is highly disturbed from under scrubbing of the understorey vegetation, construction of walking tracks and other infrastructure associated with the existing development. The vegetation community has also been moderately disturbed by exotic weed species.

The Moist Open Forest vegetation community occurs along the central part of the eastern boundary of the site associated with two minor drainage lines. The Moist Open Forest covers approximately 5% of the site and has a canopy cover of approximately 30% and height of approximately 15m-25m. The sub-canopy/shrub layer has a canopy cover of up to 75% and height of approximately 5m-10m, with a dense groundcover of ferns, herbs and climbers.

The Moist Open Forest vegetation community has been moderately disturbed by past clearing, exotic weed invasion and run-off. The vegetation structure comprises Open Woodland to Woodland with a canopy cover of approximately 5% to 20% and heights of up to 25m. The understorey consists of a sparse shrub-layer to 2m high and sparse groundcover of herbs, ferns and grasses.

Disturbed land with scattered trees and garden beds covers approximately 45% of the site. The disturbed land includes artificially created garden beds and lawn area, areas of trees with managed understorey, construction of buildings and infrastructure associated with the existing development and high incursions by exotic weed species.

3.3 Surrounding Development

Adjoining land owned by KCC

KCC own two adjoining lots at 1-19 Cedar Street and 10 Laurel Street.

1-19 Cedar Street is approximately 6.9ha in area and includes Clairvaux Oval and three dormitory style accommodation buildings known as Kedumba, Clairvaux and Hartley House. There are also grassed areas and recreational facilities including playground and basketball court. The site slopes down to the north and east (Clairvaux Oval). Vegetation in the north-eastern corner of the site is a Hanging Swap vegetation community.

Clairvaux Oval is used as an overflow parking area during KCC's larger worship events/conventions.

KCC also own 10 Laurel Street which is also currently vacant land and covered with scattered trees and shrubs.

3 Site Context



Figure 3 *Clairvaux Oval when used for overflow parking*



Figure 4 *Kedumba Accommodation*

3 Site Context



Figure 5 View of Clairvaux Accommodation building

Other Surrounding Land Use

To the east of the site is the CMS Conference Centre, Scenic World and four residential dwellings on the eastern side of Cliff Drive.

To the west of the site are residential properties on Cliff Drive, Laurel Street and Violet Street.

To the south is Blue Mountains National Park.

Figures 6 – 9 show photographs of the surrounding area.

3 Site Context



Figure 6 Residence on Laurel Street



Figure 7 Residence viewed from Cliff Street

3 Site Context



Figure 8 View down Violet Street looking towards Cliff Drive



Figure 9 View from Violet Street to Scenic World

4 Proposed Development

4.1 Summary and Development Statistics

KCC is proposing to redevelop the existing facilities on the site and development consent is being sought for the following:

- Demolition of the existing auditorium and construction of a new 3,500 seat auditorium to be used as a place of public worship.
- A new bookshop building to replace the existing bookshop building. The building will also include new toilet facilities. The bookshop in ancillary to the place of public worship that sells religious text and similar material.
- Seven new breakout spaces/meeting rooms.
- A new reception building with store rooms.
- Demolition of the existing 200 seat dining hall and construction of a new dining hall with 500 seat capacity, kitchen; laundry, storage, reception and administration space.
- A new café fronting Violet Street.
- Demolition of the existing accommodation buildings and construction of new accommodation buildings including six ecolodges (with 56 beds each lodge) and three chalets (18 beds each); and
- New internal access roads and 75 car parking spaces.

The new auditorium, bookshop, breakout rooms and reception will be constructed around the existing plaza. The proposed development is seeking to provide modern facilities for the Bible preaching events and worship activities held on the site. The principal use of the new auditorium will remain as a place of public worship. The bookshop will only operate during KCC worship events and other Bible study and worship events (as currently occurs).

The new accommodation will provide a total of 390 beds, a net increase of 170 beds.

The dining hall will only operate when the site is being used by KCC (and others) during worship conventions or to service large groups staying in the accommodation. The dining hall will not operate as an independent restaurant on a daily basis. The café adjacent to the dining hall is proposed to operate on a daily basis.

The existing camping area will be retained, however during peak activities, the area may be used for overflow car parking.

The key development statistics of the development are detailed in **Table 3**.

Table 3 Development Statistics	
Auditorium	3,500 seats
Breakout spaces	7
Bookshop	1
Dining Hall and Administration Building	1
Ecolodges	6 (56 beds each lodge)
Ecochalets	3 (18 beds each)
Car Parking Spaces	75 (42 + 33 overflow spaces in the campground)

Plans of the proposed development are included at **Appendix 3**. The site plan is shown at **Figure 10**.

4 Proposed Development

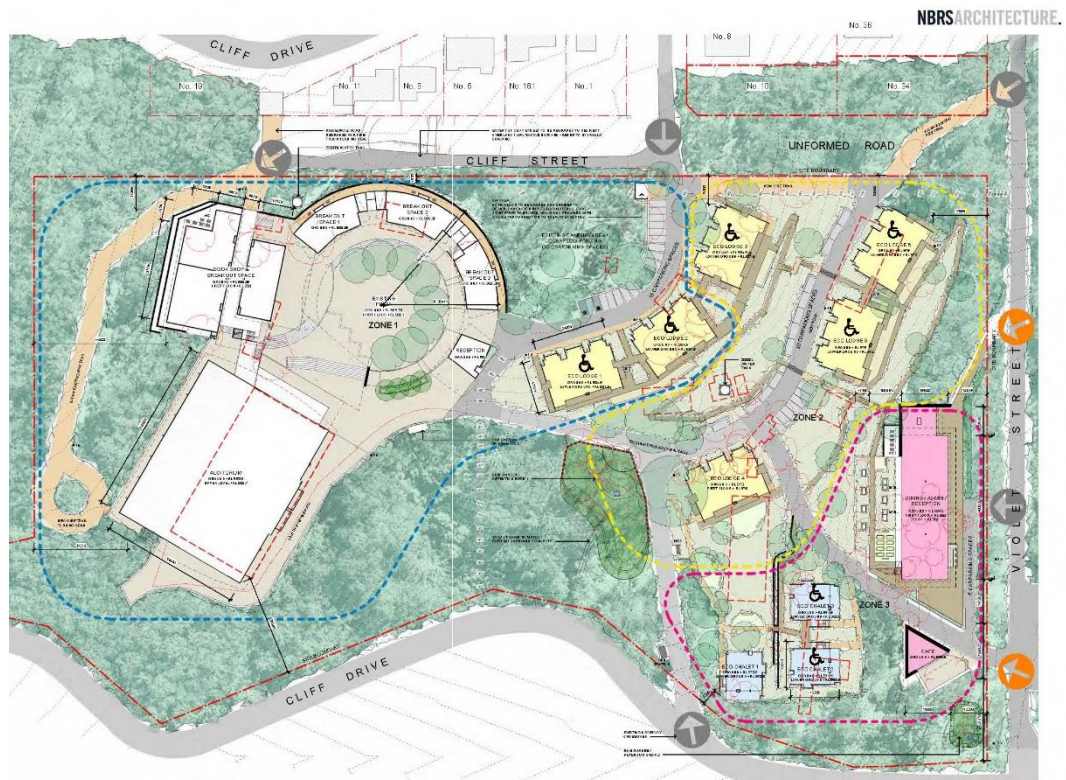


Figure 10 Proposed Site Plan

4.2 Proposed Uses

The proposed uses are properly categorised as:

- Place of Public Worship (the auditorium and breakout spaces);
- Tourist and Visitor Accommodation; and
- Café.

The new dining hall and reception building is ancillary to the Place of Public worship and tourist and visitor accommodation uses.

As a religious organisation, KCC has strict policies regarding the use of its facilities. The use of the auditorium and accommodation facilities is targeted to religious, not-for-profit and school groups. KCC also has a strict no alcohol policy and does not allow the consumption of alcohol on the site.

4.2.1 Place of Public Worship

The auditorium will be capable of accommodating 3,500 people (an increase of 1,200 people compared the existing facility). The auditorium has a maximum height of 12.9m and include some tiered seating. Facilities within auditorium include storerooms, backstage services areas, and kitchen.

The auditorium will be constructed from the following materials:

- Concrete slab;
- Off-form concrete panels;
- Render finish in neutral tones; and
- Steel framed metal roof, with roof sheeting in a medium grey colour (Colourbond Wallaby).

4 Proposed Development

A gabion rock retaining wall will be constructed along the north eastern edge of the auditorium.

The auditorium is used as a place of public worship by KCC. KCC currently hold seven worship events per year, some of which are held over concurrent weekends. The largest events are the Easter Convention (which includes activities and events on the KCC site as well as events off-site at other facilities in the Blue Mountains) and the KYCK youth events.

It is envisaged that the Easter Convention will be able to cater for up to 3,500 event attendees in the auditorium. During these worship events, all the facilities on-site (i.e. accommodation, breakout spaces and seminar rooms) will be used by KCC, as currently occurs.

The new facilities will provide KCC the opportunity of holding all activities on-site, rather than using both on-site and off-site facilities as currently occurs, for example some children's activities such as Bible study, craft and games. KCC is anticipating being able to hold all activities on-site concurrently with worship and other activities in the auditorium. The ability to hold all activities on site will reduce vehicular movements from the site to the off-site facilities.

The site is also used by other Christian organisation for worship and Bible study retreats including:

- Church Missionary Society (CMS);
- Scripture Union Family Missions;
- Wesley International Congregation;
- Moore Theological College; and
- Various Christian church groups.

The use of the facilities by these and similar groups will continue.

CMS hold one large event in January each year and utilise all facilities on the site. Other uses are typically smaller groups.

A montage of the auditorium is shown at **Figure 11**

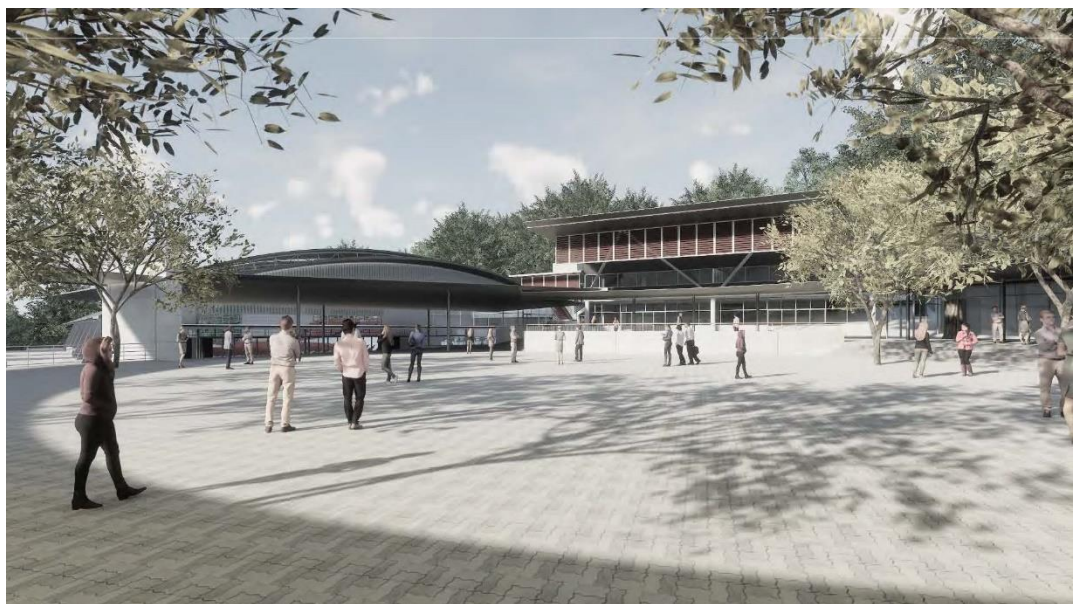


Figure 11 Montage view of plaza, auditorium and bookshop/meeting rooms

4 Proposed Development

Ancillary Facilities

The proposed development will include the following facilities ancillary to the place of public worship:

- Main Reception and Dining Hall;
- Plaza Reception and store;
- Breakout spaces;
- Toilets;
- Kitchen and store

The breakout spaces will be used during KCC events for bible study, group activities, children's program and meetings. The spaces may also be used KCC and other Christian organisations when use of the auditorium is not required. The breakout spaces may also be used by school and other groups utilising the visitor accommodation.

Consistent with the materials and finishes proposed for the auditorium and accommodation buildings the material and finishes for the main reception and dining hall building, breakout rooms will include:

- Off-form concrete panel;
- Render finishes;
- Gabion boxes and stone cladding;
- Timber battens;
- Aluminium framed windows;
- Metal roof sheeting.

4.2.2 Tourist and visitor Accommodation

The proposed accommodation includes 6 Ecolodges, which are two storey. Each lodge comprises 6 dormitory style rooms with 8 beds each and four double rooms with ensuite, accommodating a total of 56 guests. Each Ecolodge has two lounge areas with kitchen. Each lodge has accessible accommodation rooms.

The Ecochalets are two storeys comprising six triple rooms, with combined lounge, dining and kitchen area. A balcony and terrace are also provided.

Plans of the proposed accommodation buildings are included at **Appendix 3**.

The materials and finishes for the Ecolodges and Ecochalets include:

- Metal and stone cladding
- Glass entry doors and windows;
- Fibre Cement sheet
- Render panels.

During KCC events, the accommodation on site is used by KCC staff and volunteers. The majority of KCC attendees stay in accommodation elsewhere in the Blue Mountains.

Outside of KCC events and activities, the accommodation on the site will continue to be available to schools and other not-for-profit groups for activities such as bush camps and adventure camps for short term stays, as currently occurs. Other minor ancillary uses of the site such as use by Ultra Trail and Scout groups will also continue.

4 Proposed Development

The accommodation can operate independently of the auditorium and breakout spaces. The accommodation is targeted towards larger groups and lower cost users e.g. not-for-profit, religious groups, school groups.

4.2.3 Café

The proposed café is located opposite the main reception and dining hall and is proposed to operate on a daily basis. The café will service visitors to the site as well as the general public. The café will include kitchen, store, toilet and indoor and outdoor seating.

4.3 Development Staging

The proposed development will be constructed in three stages.

Stage 1

- Demolition of existing auditorium, bookshop, plaza cottage, two toilet blocks and two store rooms.
- Site earthworks to create level building surfaces, including minor filling along the eastern side of the auditorium and construction of gabion wall.
- Construction of a new auditorium with dressing rooms, store rooms, toilets, kitchen and back stage area.
- Construction of a two storey bookshop building with store room, male and female toilets, four breakout spaces/rooms and lift.
- Construction of three single storey breakout rooms with kitchenettes and male and female toilets.
- Construction of a single storey reception/office with store rooms.
- Construction of 2 x two storey eco-lodges.
- Internal road works and establishment of 16 carparking

Stage 2

- Demolition of the existing dining hall and Megalong, Wollemi and Jamison accommodation buildings, store room and toilets and office building.
- Construction of four x 2 storey eco-lodges.
- Internal road works, new fire trail and widening of existing fire trail and construction of 22 car parking spaces.

Stage 3

- Demolition of The Lodge.
- Site earthworks to create level building surfaces for the reception and dining hall building and earthworks (cut) to allow for the construction of the Chalet accommodation.
- Construction of three x 2 storey chalets
- Construction of a two-storey reception and dining hall building with administration area, toilets, commercial kitchen, dry store, cold store, freezer, laundry, garbage room, goods lift and loading dock. Outdoor seating is provided on Level 1.
- Construction of a single storey café with outdoor seating.
- New site entry off Violet Street providing access into the site and circular driveway in front of the reception with five parallel car parking spaces.

4 Proposed Development

4.4 Demolition and Tree Removal

As noted above, demolition of existing structures will be undertaken to facilitate the proposed works. The buildings to be removed are identified on the architectural plans at **Appendix 3**. Designated areas of waste storage during construction and demolition phases are shown in the Waste Management Plan (Refer to Section 6.2.8 and **Appendix 4**).

Some bulk earthworks/ excavation works will be undertaken to establish building platforms for the proposed building. Excavation depths will be approximately 2-3m. The volume of excavated material for the dining hall has been estimated based on existing ground level and the proposed design, with approximately 1,440m³ of soil and rock to be excavated.

Based on the geological condition on site it is expected that excavation will encounter sandstone at relatively shallow depths. Soil will be kept onsite and reused as fill. Where possible rock may be incorporated into retaining walls or otherwise reused as fill.

4.5 Landscaping Works

Landscaping Plans have been prepared by NBRS and are included at **Appendix 5**. The proposed landscaping includes:

- New feature tree plantings in the plaza.
- Revegetation zones of native plantings (shrubs, grasses and ground covers) around the Eco Lodges and Eco Chalets. Plantings will be undertaken to meet Asset Protection Zone requirements.
- Paved entries to the accommodation buildings. Gardens and small turf areas will be provided around the Eco lodges. Gabion retaining structures with rocks to compliment the site geology will be use address changes in ground level.
- The majority of new pathways will be constructed of permeable materials and include gravel and timber boardwalks.
- Stormwater detention basin and two rain gardens/detention basins.
- Permeable surfaces to the north and eastern side of the auditorium with gabion wall, with seating.
- Permeable paving to the new car parking spaces (except disabled/accessible parking spaces).
- New and widened fire trails.

Tree Removal

The site contains a large number of trees (thousands) and numerous trees will be removed to facilitate the proposed works. 395 trees have been identified for removal as being within or near the building footprints or for Asset Protection Zone requirements.

Retention of tall screening trees around the 2 storey buildings and the perimeter of the site has been prioritised and trees in poor health have been targeted for removal for APZ requirement.

In addition, Travers Ecology recommend 278 trees be removed removal have been assessed as dead, damaged or dangerous.

Tree removal plans are included at **Appendix 4**.

4 Proposed Development

4.6 Vehicular Access, Car Parking and Loading

The existing vehicular access from Cliff Drive will be retained. New pedestrian and vehicular access will be established on Violet Street. The Violet Street site entry will be located between the proposed reception and dining hall building and café.

A new internal road will connect to Cliff Street at the corner of Cliff Street and Laurel Street. The existing fire trail to the north west of the site, crossing through the public road reserve and 34 Violet Street will be widened to accommodate emergency vehicles. A new fire trail will be constructed along part of the western boundary connecting to the existing fire trail and new internal road at the corner of Cliff Street and Laurel Street.

At the southern end of the site the existing fire trail from Cliff Street to the rear of the bookshop and auditorium will be widened and a new turning head established.

Forty-two sealed car parking spaces are proposed including 36 spaces in the vicinity of the Ecolodges and 5 spaces in front of the dining hall/reception building. The camping ground will provide 33 overflow carparking spaces.

The car parking spaces on Clairvaux Oval will also service the proposed development. An easement for access is a condition of consent of the DA approval for the Clairvaux Oval car park.

5 Approvals, Permits and Licences

5.1 General

The proposed development requires or may be deemed to require several approvals, consents, licences, permits or permissions from various government departments, pursuant to legislation other than the EP&A Act.

This section outlines relevant other legislation including the approvals, licences and permits which may need to be sought concurrently with the subject DA. This outline is structured under headings relating to the responsible Government departments and approval authorities.

5.1.1 State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

As the site is within the Warragamba Catchment area, the provisions of the Sydney Drinking Water Catchment SEPP must be taken into consideration in the assessment of the application.

Clause 10 of the Sydney Drinking Water Catchment SEPP requires that a consent authority must not grant development on land in the Sydney drinking water catchment unless it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality.

A Neutral or Beneficial Effect (NorBE) assessment on water quality has been undertaken and is included in the Stormwater Report at **Appendix 6**. The application is to be referred to Water NSW for concurrence.

5.1.2 Rural Fires Act 1997 (RF Act)

Section 100B of the RF Act, in conjunction with section 79BA of the EP&A Act, requires a 'bushfire safety authority' to be issued by the Commissioner of the NSW Rural Fire Service, for development of bushfire prone land for a 'special fire protection purpose'.

A 'bushfire safety authority' authorises development to the extent that it complies with standards regarding setbacks, provision of water supply and other matters considered by the Commissioner to be necessary to protect persons, property or the environment from danger that may arise from a bushfire.

The proposed development includes tourist accommodation which is special fire protection purpose, on bushfire prone land and accordingly, a 'bushfire safety authority' is required in this instance and the integrated approval provisions of the EP&A Act are triggered in this regard.

6 Environmental Planning Assessment

This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under Section 79C(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

The key environmental planning issues associated with the proposed development are:

- Compliance with relevant planning policies and controls;
- Flora and Fauna;
- Stormwater and Drainage;
- Heritage Conservation;
- Transport, Traffic and Parking;
- Noise;
- Visual Impact; and
- Accessibility.

An assessment of these issues is provided in the following subsections.

6.1 Planning Controls

The following subsections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Draft EPIs, Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with Section 79C(1)(a) of the EP&A Act.

6.1.1 Environment Protection and Biodiversity Conservation Act 1999

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) requires that Commonwealth approval be obtained for certain actions. It provides an assessment and approvals system for actions that have a significant impact on matters of national environmental significance (NES). These may include:

- World Heritage Properties and National Heritage Places;
- Wetlands of International Importance protected by international treaty;
- Nationally listed threatened species and ecological communities;
- Nationally listed migratory species; and
- Commonwealth marine environment.

Actions are projects, developments, undertakings, activities, and series of activities or alteration of any of these. An action that needs Commonwealth approval is known as a controlled action. A controlled action needs approval where the Commonwealth decides the action would have a significant effect on an NES matter.

In respect of matters required to be considered one threatened fauna species being the Grey-headed Flyingfox and two protected migratory bird species being the Black-faced Monarch (*Monarcha melanopsis*) and Rufous Fantail (*Rhipidura rufifrons*) were identified. No threatened flora species, and one EEC (Blue Mountains Swamps in the Sydney Basin Bioregion) listed under this Act were recorded within the study area.

The flora and fauna report (**Appendix 7**) includes a detailed assessment of potential impacts and concludes the proposed development was not considered to have a significant impact on NES matters and a referral to Department of Environment is not be required.

6 Environmental Planning Assessment

6.1.2 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2017 was introduced in August 2017 and establishes a new framework for biodiversity assessments. However, under the transitional arrangements DA lodged prior to 25 February 2018, will be assessed in accordance with requirements of the *Threatened Species Conservation Act 1995*.

6.1.3 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) sets out the contamination and remediation matters to be considered in determining a development application. Clause (7)(1) sets out the following:

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Pursuant to Clause (7)(1)(a), it is considered that the subject site is not likely to be contaminated having regard to the following matters:

- KCC have operated from the site since the 1950's and the site has been used as a place of public worship since that time.
- Other uses include accommodation buildings and ancillary buildings such as the dining hall, offices and amenities.
- The site is zoned RE 2 Private Recreation under BLEP 2015. Previous land use zonings have included Special Uses 5ACU Church under Blue Mountains LEP No. 4 and Living – Bushland Conservation under BLEP 2005.
- The historic zoning of the land did not allow for offensive or hazardous industrial development and the site has significant areas of vegetation covering the site.

Based on the historic use and development of the site and the land use zoning, the land is considered to be suitable for the proposed development. A Hazardous Material Survey of the buildings to be demolished will be undertaken prior to the commencement of works.

6.1.4 State Environmental Planning Policy (State and Regional Development) 2011

The site has a long history of operating as a 'place of public worship' and 'tourist accommodation'. The proposal is for an upgrade of these facilities and does not seek approval for additional uses other than a small café. The proposed development is not of a type or scale that constitutes 'State and Regional development'.

6.1.5 State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

As discussed in Section 5.1.1 above the site is within the Warragamba Catchment area, the provisions of the Sydney Drinking Water Catchment SEPP must be taken into consideration in the assessment of the application.

Clause 10 of the Sydney Drinking Water Catchment SEPP requires that a consent authority must not grant development on land in the Sydney drinking water catchment unless it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality. As previously noted the concurrence of WaterNSW is required for the proposed development.

A Neutral or Beneficial Effect (NorBE) assessment on water quality has been undertaken and is included in the Stormwater Report at **Appendix 6**. The proposed treatment train measures

6 Environmental Planning Assessment

include an above ground detention basin and two bio-retention raingardens to filter pollutant loads and the report concludes that the proposed management measures will provide a reduction in pollutant loads and concentrations to achieve a neutral or beneficial effect.

6.1.6 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

SREP 20 applies to land within the Blue Mountains LGA and contains various provisions aimed at protecting the environment of the Hawkesbury-Nepean River system.

Clause 4 of the SREP requires that certain 'General Provisions' under Clause 5 and 'Special Planning Policies and Recommended Strategies' under clause 6 must be taken into consideration by a consent authority determining an application for development on land to which the SREP applies. These provisions primarily relate to managing water quality and quantity, protecting flora and fauna, protecting cultural heritage and protecting riverine scenic qualities.

Pursuant to the provisions of Clause 5, the proposed development is consistent with the general planning considerations of SREP 20 having regard to the following:

- The development is consistent with the aim of the Plan as the development is consistent with the existing uses on the site;
- The proposed development is seeking to provide upgraded facilities on the site and is considered to be an appropriate development of the site; and
- An assessment of the potential environmental impacts of the proposed development is undertaken at Section 4.2 of this SEE where it is concluded that the development will not result in unreasonable and unmitigated environmental impacts.

Clause 6 of SREP 20 sets out the specific planning policies and recommended strategies for development subject to the provisions of SREP 20. The planning policies and strategies are addressed in **Table 3** below:

Table 4 SREP 20 Assessment	
Planning Policy	Assessment
Total Catchment Management	The development is for place of public worship, tourist accommodation and ancillary purposes and accordingly will not generate pollution that requires additional mitigation.
Environmentally Sensitive Areas	The proposed development has been designed with regard to the environmental sensitivities of the site. The proposed buildings where possible have been sited in the location of existing buildings.
Water Quality	A Stormwater assessment report has been prepared (Appendix 6) and site stormwater runoff and pollutant loads will not exceed existing levels due to the proposed development.
Water Quantity	A Stormwater assessment report has been prepared (Appendix 6) and site stormwater will be managed by the proposed 497m ³ above ground detention basin and bio-retention basins.
Cultural Heritage	A Statement of Heritage Impact (Appendix 8) has been prepared and the proposal will have acceptable heritage impacts. Refer to Section 6.2.6 for further discussion.
Flora and Fauna	In order to facilitate the development trees will be removed, however new plantings and landscaping works will be undertaken. A flora and fauna assessment has been prepared and is included at Appendix 7 .
Riverine Scenic Quality	The proposed development will not have any impact on riverine scenic quality as there are no direct visual connections to the river.

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Table 4 SREP 20 Assessment

Agricultural/Aquaculture and Fishing	N/A
Rural Residential	N/A
Urban Development	The proposed development is not for new urban development or subdivision of land.
Recreation and Tourism	The proposed development will not have impacts on the recreational or tourist uses of the river or riverine corridor.
Metropolitan Strategy	The proposed development is not inconsistent with the broad strategies of the draft Greater Sydney Region Plan.

6.1.7 State Environmental Planning Policy No. 44 - Koala Habitat Protection

The provisions of SEPP No. 44 generally apply to land which has been identified in an EPI as being either potential Koala habitat or core Koala habitat or, pursuant to clause 6, where the site has an area of more than 1 hectare. The subject site has an area of approximately 5.3 hectares.

The Flora and Fauna study included at **Appendix 7** has assessed the site for potential or core Koala habitat. No Koala food tree species have been identified on the site and accordingly, the Site does not represent 'potential' koala habitat as defined in SEPP No. 44.

6.1.8 Blue Mountains Local Environmental Plan 2015

Blue Mountains Local Environmental Plan 2015 (BMLEP 2015) zones the majority of the site (119 Cliff Drive) RE2 Private Recreation. Relevant land uses which are permissible in the RE2 Private Recreation zone include place of public worship, camping grounds, recreation facilities (indoor and outdoor), kiosks, restaurants and cafes, and community facilities. In addition, Schedule 1 of BMLEP 2015 provides that tourist and visitor accommodation is permissible with consent on the Cliff Drive site.

34 Violet Street is zoned E4 Environmental Living. Works on 34 Violet Street are limited to the widening of the existing fire trail.

The proposed development is permissible with consent and comprises a place of public worship and ancillary uses such as breakout spaces, bookshop and seminar rooms and car parking. The proposed accommodation is properly characterised as tourist and visitor accommodation or eco-tourist facilities. The proposed development is therefore considered to be permissible with consent.

Zone Objectives

The objectives for the RE2 Private Recreation zone are.

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To encourage the development of land in a manner that meets the private recreational needs of the community.*

It is considered that the proposed development is consistent with the zone objectives for the following reasons:

- Substantial areas of the site are retained as private open space;

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- The existing (and continued) uses on the site are compatible with the RE2 zoning, which provides for a mix of uses. In addition, Council in making the BMLEP determined that tourist accommodation uses where also an acceptable activity on the site.
- Significant areas of vegetation are being retained on the site which will provide passive recreational uses within the site. Management of vegetation on the site will be improved through the implementation of a Vegetation Management Plan.
- The site is currently used for passive recreational uses and activities such as bush camps. These uses will continue of the site and improved amenities and facilities will be provided.

A summary of the key BMLEP planning controls is provided in **Table 3** below.

Table 5 Assessment against Relevant Provisions of BMLEP

Provision	Assessment	Consistent
Clause 2.2 Zoning RE 2 Private Recreation E4 Environmental Living	Proposed uses being place of public worship, tourist and visitor accommodation and café permissible with consent. The bookshop is ancillary to the place of public worship and will only operate when the place of public worship operates.	Complies
Clause 4.3 Height of Buildings 5.5m – 119 Cliff Drive 8.0m – 34 Violet Street	Buildings proposed on the Cliff Drive site exceed the building height limit and will require a clause 4.6 written submission to vary development standards. It should be noted that the 5.5m building height on the majority of the 119 Cliff Drive is the result of a mapping error.	Non-compliance Refer to the Building Height discussion below.
Clause 4.3A Exceptions to the maximum floor space ratio and height of buildings	Clause 4.3A provides that building may have a height of 8m if the consent authority is satisfied the buildings will not protrude above the tree canopy or adjacent buildings, break the skyline by protruding above the ridgeline and is of a design that response to the topography of the site. The proposed materials should also help reduce the visual impact of the structures. The proposed auditorium exceeds 8m in height however it does not protrude above the tree canopy or ridgeline and adopts material and finishes that blend with the local environment. As discussed below BMLEP Amendment 3 proposed to amend Clause 4.3A to allow buildings up to 10m.	Non-compliance – refer to Clause 4.6 Variation Request at Appendix 9 .
Clause 5.10 Heritage	The site is not a listed heritage item however it adjoins heritage items and a heritage conservation area. A heritage impact statement has been prepared and is included at Appendix 8 .	Complies

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Table 5 Assessment against Relevant Provisions of BMLEP

Provision	Assessment	Consistent
Clause 6.1 – Environmentally Sensitive Land Impact on environmentally sensitive land to be considered by Council	The impacts on environmentally sensitive land are discussed in Section 6 below and in the following reports: • Flora and Fauna Assessment (Appendix 7) • Bushfire Hazard Assessment (Appendix 10) • Tree Removal (Appendix 10)	Complies
Clause 6.4 Natural Resource – Slope constraints	Parts of the site are mapped as being slope constrained areas. The siting and location of the proposed buildings have considered slope constraints and retention of native vegetation. A Geotechnical Report (Appendix 11) and Flora and Fauna report (Appendix 7) have been prepared and conclude that the proposed development is considered to be acceptable.	Complies.
Clause 6.6 and 6.7 Protected Area	The site is not mapped as a Protected Area - Vegetation Constraint and Ecological Buffer.	N/A
Clause 6.8 Protected Area Escarpment	The eastern edge of the 119 Cliff Drive site is mapped as a Protected area – Escarpment. A visual impact assessment and flora and fauna report have been prepared and are included at Appendix 7 and 13 respectively. Refer to discussion at Section 6.2.1 and 6.2.7.	Complies
Clause 6.21 Sustainable Resource Management	Council is required to consider whether the development achieves any ESD practices. ESD has been taken into account in the siting and design of the buildings, the selection of materials and the heating and cooling systems for the buildings. Additional ESD measures will be included in the final selection of materials and equipment.	Complies

Building Height

A Clause 4.6 request to vary the building height development standard for buildings on the 119 Cliff Drive site has been prepared and is included at **Appendix 9** as the auditorium, bookshop and accommodation buildings exceed the 5.5m building height limit for the site.

The existing 5.5m building height limit that applies to the whole of the 119 Cliff Drive site is a mapping error and not consistent with the Council's resolution (14 September 2014) where Council adopted an 8m height limit for the majority of the site and 5.5m height for the area mapped Protected Area – Escarpment.

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The DA is seeking approval for buildings of a similar height to that previously approved by Council for the site, which were approximately 11m in height (above existing ground level). Further, the majority of buildings will be within the 8m height.

Given the extensive vegetation and canopy trees on site and Council's previous approval of buildings over 5.5m in height, it is considered that the proposed buildings can be accommodated within the site without adverse environmental impacts. The design of the buildings has had regard to the site slope and height of the canopy vegetation. The variation to individual building heights is considered to be a preferred approach than seeking a change to the BMLEP height controls through a Planning Proposal. It is also considered that the objectives of the building height development standard can still be achieved. A summary of the proposed building heights is detailed in **Table 6**.

Building	Maximum Building Height (proposed)	Current LEP Height Limit¹	BMLEP Amendment 3 Height Limit²	Comment
Auditorium	12.9m	5.5m	Part 5.5m/ part 10m	Proposed variation to existing and proposed height control. Existing auditorium exceeds 5.5m and proposed 10m height control.
Bookshop Building/Breakout space	9.9m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3). Council previously approved a building with a height of 11m.
Breakout Rooms 1-3	6.35m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)
Plaza Reception Buildings	7.5m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)
Dining Hall	8.9m (lift overrun)	5.5m	10m	Variation to 5.5m building height control Minor variation to proposed 8m height (for lift overrun only) and

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Table 6 Building Height Summary

Building	Maximum Building Height (proposed)	Current LEP Height Limit ¹	BMLEP Amendment 3 Height Limit ²	Comment
				complies with 10m height (Amd 3).
Cafe	5.5m	5.5m	10m	Complies
Ecolodge 1 ³	6.8m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)
Ecolodge 2	8.9m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)
Ecolodge 3	4.6m	5.5m	10m	Complies
Ecolodge 4	6.1m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)
Ecolodge 5	5.7m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)
Ecolodge 6	5.1m	5.5m	10m	Complies
Ecochalet 1	5.8m	5.5m	Part 5.5m/ part 10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)
Ecochalet 2	7.4m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)

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Table 6 Building Height Summary

Building	Maximum Building Height (proposed)	Current LEP Height Limit ¹	BMLEP Amendment 3 Height Limit ²	Comment
Ecochalet 3	7.6m	5.5m	10m	Variation to 5.5m building height control. Complies with proposed 8m and 10m height control (Amd 3.)

Note 1: BLEP Clause 4.3A allows 8m in Protected Area Escarpment

Note 2: BLEP Amendment 3 proposes a 10m maximum across the whole site (Clause 3A) and maps an 8m height limit across the majority of the site.

Note 3: All Ecolodges are 6.5m height, the maximum heights are determined by the extent of fill/piers or extent of cut due to site topography.

The siting and design of the buildings has been carefully considered in response to issues such as flora and fauna, site slope and topography, access, views and visual impact and the operational requirements of KCC. Only part of the auditorium and part of Ecochalet 1 are located within the Escarpment Protected area.

The Clause 4.6 Request to Vary the Development Standard at **Appendix 9**, assesses the variation in detail and concludes that the variation is acceptable.

6.1.9 Draft Blue Mountains Local Environmental Plan 2015 (Amendment 3)

Amendment 3, amongst other things proposes to amend the Building Height control applying to 119 Cliff Drive to introduce the 8m building height limit across the majority of the site (mapped in green) as illustrated in **Figure 12** below.

Amendment 3 has been publicly exhibited and in November 2017 Council resolved to forward the proposed LEP amendment to DPE for finalisation. The LEP Amendment is currently being assessed by DPE.

Subsequent to the public exhibition of Amendment No 3, BMCC propose to amend Clause 4.3A of BLEP as follows:

(9) Development consent may be granted to the erection of a building on land identified as 119 Cliff Drive, Katoomba being Lot 5 DP222736, within "Katoomba Precinct RE2-SP3-KA20" on the Built Character Map, that exceeds the maximum height shown for the land on the Height of Buildings Map if consent authority is satisfied that the:

(a) part of the building that exceeds the maximum height shown on the Height of Buildings Map is not visible from Cliff Drive or any public place; and

(b) building has a height of no more than 10 metres.

The provision is under review by DPE and if adopted will allow buildings heights up to 10m on the site.

All buildings with the exception of the auditorium and bookshop roof will be less than 10m in height.

The Clause 4.6 Request to Vary the Development Standard at **Appendix 9** also addresses the proposed BLEP Amendment No 3.

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3.2 Proposed

LEP 2015 Draft Amendment

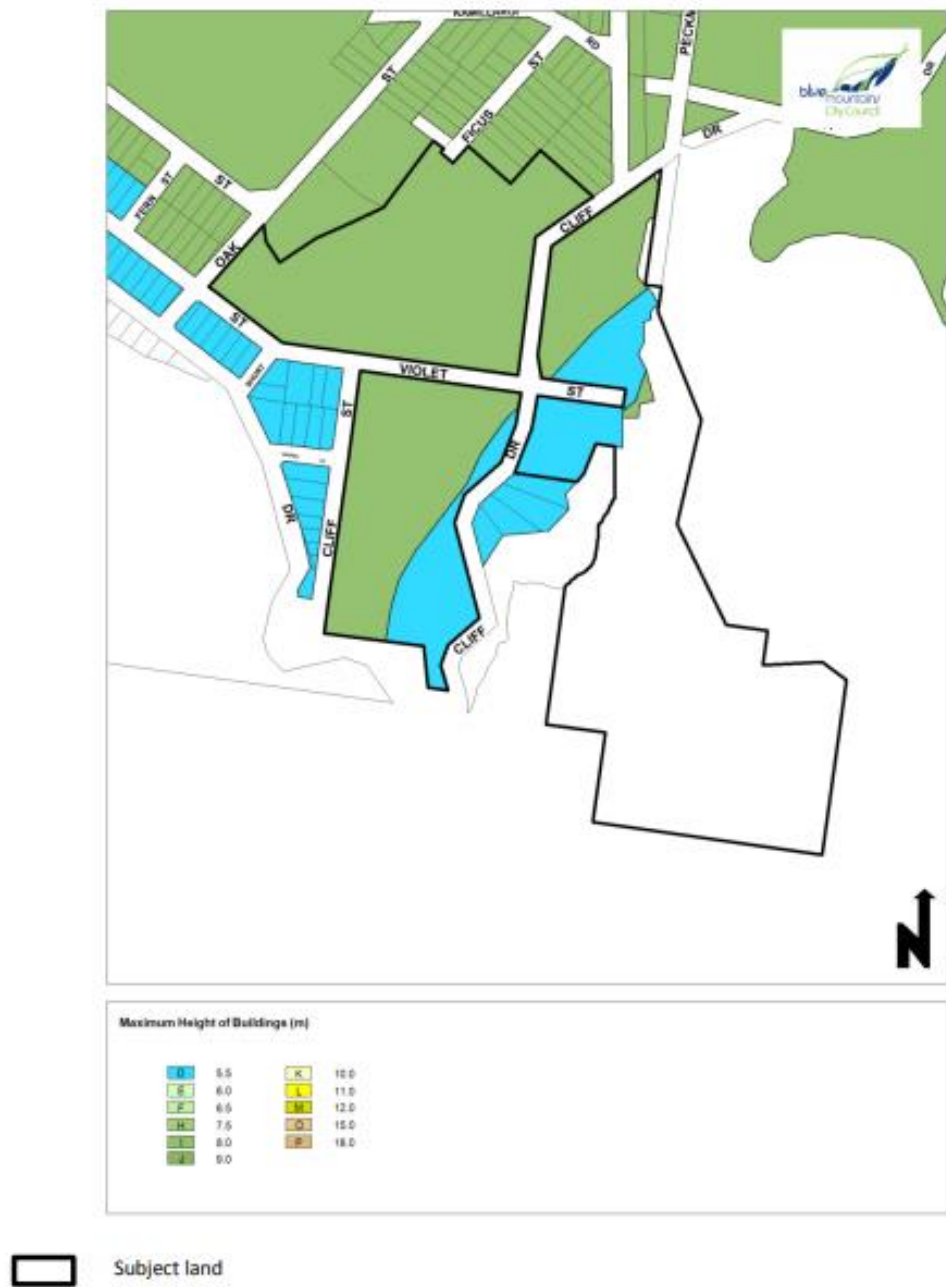


Figure 12 Extract from BMCC Planning Proposal for Amendment No.3

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6.1.10 Blue Mountains Development Control Plan 2015

Table 7 provides a summary assessment of the proposed development against the relevant provisions of the DCP.

Table 7 Assessment against Relevant Provisions of BMDCP		
Provision	Assessment	Consistent
Part B2.3 Building Envelope		
B2.3 Setbacks and Articulation	The site is zoned RE 2 Private Recreation and E4 Environmental Living.	Complies
RE2 Private Recreation not within a Precinct, setback from the primary front boundary is to be 8m from a road reserve.	All buildings are setback a minimum of 8m from the primary front boundary. No building works are proposed on the E4 zoned land.	
B2.4	Total Site Area is 54,925m and - proposed site coverage is 9,383m ² (17% coverage)	Numerical non-compliance, but objective of control achieved.
C12 Site Coverage for RE2 Private Recreation	The site coverage control does not reflect the current use of the site nor is it appropriate for such a large site.	
Max 300m ² + 100m ²	The objective of the site coverage control is to ensure the retention of pervious area to aid stormwater management and this objective can be achieved.	
Minimum 60% of total allotment is to be retained as pervious area.		
Part C1 Biodiversity and Natural Resources		
Protect and enhance biodiversity, environmentally sensitive or significant natural features and natural resources	A flora and fauna study has been undertaken and the ecological studies have informed the site layout and designs. Trees will be removed to facilitate the proposed works, however there will be no adverse flora and fauna impacts from the removal of the trees and vegetation. Substantial area of the site will remain vegetated and new landscaping works and tree planting will be undertaken.	Complies
Part C2 Bushland and Weed Management		
Environmental Protection Works to conserve, maintain or restore vegetation, waterways, habitat area and natural features	A Vegetation Management Plan will be prepared prior to the commencement of works and the site managed in accordance a Vegetation Management Plan.	Complies
Part C4 Bushfire		
The site is bushfire prone land and a bushfire hazard assessment is required	A Bushfire Hazard Assessment has been undertaken (refer to Appendix 10 and Section 6.2.2).	Complies
Part C5 Trees and Vegetation Preservation		
Development consent will be required for the removal of some trees	Flora and fauna studies have been undertaken to inform the siting and layout of the proposed buildings and	Complies.

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Table 7 Assessment against Relevant Provisions of BMDCP

Provision	Assessment	Consistent
	the studies will be submitted with the DA. The proposal is seeking to minimise vegetation clearing, whilst also meeting bushfire management requirements. Significant areas of vegetation will be retained on the site with over 80% of the site not built upon.	
Part C6 Water Management		
A WSUD strategy needs to be submitted with the DA. The site is within the Sydney Drinking Water Catchment and will require a Neutral or Beneficial Effect (NorBE) on Water Quality Assessment	A WSUD strategy and stormwater management plan has been prepared, which includes a NorBE assessment (refer to Appendix 6 and Section 6.2.3). The proposed development will require referral to Water NSW for concurrence. It is noted that concurrence was granted by the WaterNSW for the previous development application for the new facilities and car parking area on Clairvaux Oval.	Complies (subject to concurrence of WaterNSW)
Part D1 Heritage		
D1.5 Development in the vicinity of heritage items or conservation areas	The site is not heritage listed, however it is in the vicinity of heritage items and heritage conservation areas. A Heritage Impact Statement has been undertaken. Refer to Appendix 8 and Section 6.2.5. The assessment include consideration of the visual catchment of the site and the proposed development is considered to have acceptable heritage impacts. An AHIMS search has identified there are no items of Aboriginal heritage on or in the vicinity of the site.	Complies
Part E Site Development and Management		
Provision of appropriate services, traffic, parking and access, safety and security	Site analysis has informed the layout and siting of buildings. The following reports have been prepared and appended to this SEE • Traffic and Parking assessment; • Access Report; • Waste Management Plan; • Operational Plan of Management (OPM) for the site. The site is serviced by public utility infrastructure required for the proposed development.	Complies.

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Table 7 Assessment against Relevant Provisions of BMDCP

Provision	Assessment	Consistent
	Site management is a key consideration to ensure the site is sensitively managed and site management matters are addressed in the OPM.	

6.1.11 Draft Blue Mountains DCP

Council has proposed a draft amendment to Blue Mountains DCP to include precinct controls that will apply to the KCC site (and other sites in the vicinity).

Table 8 Draft DCP Controls

Draft Control	Comment
C1. Development is to satisfy LEP 2015 clause 7.1 (Development in villages) and be consistent with the precinct objectives of clause 7.6(20) of LEP 2015.	BMLEP does not contain a Clause 7.6(20)
C2. The height of a building is not to exceed the maximum height of building set by clause 4.3 of LEP 2015 and the accompanying Height of Buildings Map.	Building matters have been discussed above. A Clause 4.6 Variation Request has been prepared.
C3. The floor space ratio of a development is not to exceed the maximum floor space ratio set by clause 4.4 of LEP 2015 and the accompanying Floor Space Ratio Map.	No FSR applies to the site.
C4. Buildings and other structures located on land identified as having Scenic Landscape Value on the Scenic Landscape Value Map are to be landscaped so as to minimise the visual impact from any public place, Reserve or National Park, including but not limited to Echo Point.	The buildings has been sited to minimise visual impacts and will be in a landscaped setting. A Visual Impact Assessment has been prepared as discussed at Section 6.2.7.
C5. All buildings on 119 Cliff Drive, Katoomba are to be distributed throughout the site so as to minimise the impact when viewed from any given point, either internally or externally.	Buildings are distributed throughout the site.
C6. The existing bushland character of the precinct is to be retained and enhanced.	The bushland character of the site is being retained. Whilst trees will be removed, substantial areas of vegetation will be retained on site. Additional landscaping will be retained.
C7. The minimum setback for any new development, from any road reserve is 8.0m.	Buildings are setback 8m from a road reserve.
C.8 The maximum building site coverage for land at 41 Violet Street, Katoomba and land at 119 Cliff Drive is 15%.	The proposal will have 17% site coverage, which is a minor variation.
C9. The minimum area to be retained as soft pervious or landscaped (excluding hard surfaces) on land at	The proposal will have 17% site coverage. This DA does not propose any works on 41 Violet Street.

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Table 8 Draft DCP Controls

41 Violet Street and 119 Cliff Drive, Katoomba is 70% of the total allotment area.	
C 10	N/A
C 11	N/A
C12 Development is to provide articulation and building modulation in order to minimise the bulk of buildings.	The buildings are articulated and modulates and design to respond to the sites topography.
C13 Development must consider amenity impact on the adjoining residential dwellings and include reasonable measures to mitigate impacts.	Acoustic and traffic impact assessments have been undertaken and management measures are proposed to manage impacts.
C14. Development is to provide landscaping along the street frontages that is reflective of landscape character and existing endemic vegetation communities along Cliff and Violet Street.	Landscaping will be undertaken along the Violet Street frontage. Landscape plans have been prepared and are included at Appendix 5 .
C15. Car parking is to be integrated with landscaped areas such that it is well screened from the public domain. Parking areas should be located so as to not to adversely impact upon streetscape, pedestrian circulation, building character and residential amenity.	Car parking has been integrated around the buildings and site landscaping and will not adversely impact on the streetscape, pedestrian movements, building character or residential amenity.

6.2 Likely Impacts of the Development

The following subsections assess the likely impacts of the development in accordance with Section 79C(1)(b) of the EP&A Act.

6.2.1 Flora and Fauna

Travers Bushfire and Ecology have prepared a flora and fauna assessment which is included at **Appendix 7**. Travers Bushfire and Ecology have undertaken numerous ecological studies of the site and KCC land (41 Violet Street) adjoining the site. These sites comprise the study area.

The ecological study has been undertaken in accordance with the relevant requirements of the EP&A Act, TSC Act, EPBC Act and FM Act.

Travers have undertaken a tree survey (Appendix 4) over approximately 80% of the site. Not all the site was surveyed as there are areas that will not have any building works or bushfire hazard reductions works undertaken on the site. Further, only trees equal or greater than 10cm Diameter at Breast Height (DBH) and located only within the proposed development footprint was undertaken. A total of 1145 trees were assessed within the proposed development footprint and immediate surrounds within the site. It should be noted that the site contains significantly more than 1145 trees.

As noted in Section 4, 395 trees have been identified for removal as being within or near the building footprints or for Asset Protection Zone requirements. In addition, Travers Ecology recommend 278 trees be removed removal have been assessed as dead, damaged or dangerous.

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Retention of tall screening trees around the 2 storey buildings and the perimeter of the site has been prioritised and trees in poor health have been targeted for removal for APZ requirement. The strategy to retain taller trees around the auditorium, bookshop buildings and along the boundary of Cliff Drive will assist in visual screening. It should also be noted that tree removal will be progressive in accordance with the staging of the development.

Flora

Seven vegetation communities were identified across the study area, with three communities identified within the site of the proposed development. The communities are:

- Dry Open Forest (*Eucalyptus piperita* and *Eucalyptus sieberi*);
- Moist Open Forest (*E. blaxlandii*, *E. piperita*, *E. sieberia*, *E. oreades*); and
- Disturbed land with Scattered Trees and Garden Beds.

The other four vegetation communities identified within the study area are:

- Moist Gully Forest;
- Heath/Fernland;
- Hanging Swamp; and
- Moist Open Forest (*E. mannifera*, *E. radiata*)

The Moist Gully Forest, Moist Open Forest (*E. mannifera*, *E. radiata*), Hanging Swamp and Fernland are also listed as Scheduled Vegetation Communities within the Blue Mountains City Council local government area

Two Threatened Ecological Communities (TECs) occur in the study area. One community is the Hanging Swamp vegetation community which is commensurate with 'Blue Mountains Swamps of the Sydney Basin Bioregion' which is listed as a Vulnerable Ecological Community under the TSC Act. The Hanging Swamp is located on land at 41 Violet Street, which is not subject to the proposed development. The second TEC is the Fernland vegetation which also forms a component of the Blue Mountains Swamps of the Sydney Basin Bioregion'. The Fernland community also occurs on 41 Violet Street and not the site of the proposed development.

Fauna

Five threatened fauna species were recorded in the study area, being:

- Eastern Pigmy Possum;
- Gang-Gang Cockatoo;
- Little Lorikeet;
- Grey-Headed Flying-Fox; and
- Eastern Falsistrelle.

The Eastern Pigmy Possum was recorded in the southern extent of the site which provides habitat connectivity to the adjacent Blue Mountains National Park. Whilst some areas of EPP habitat will be removed, the impact of the removal was not considered significant as 77% of habitat was assessed as being low to moderate quality.

No threatened flora species or populations were recorded in the study area.

A seven-part test of significance was undertaken in accordance with Section 5A of the EP&A Act, which concluded that the proposed development will not have a likely significant impact on any threatened species populations or Endangered Ecological Communities (EECs) and therefore a Species Impact Statement is not required.

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The flora and fauna assessment also found that the proposed development is not likely to have a significant impact on state listed threatened species.

In relation to the EPBC Act, the Grey Headed Flying Fox, Black-faced Cockatoo, Rufus Fantail and the Hanging Swamp occur within the study area. The flora and fauna study has assessed the proposed development as not having a significant impact of matters of national environmental significance and therefore referral to the Department of Environment is not required.

Travers have recommended a suite of mitigation and amelioration measures which are detailed in Section 5 of their report and include the following:

- Preparation of a Vegetation Management Plan (refer to **Appendix 18**).
- Areas of conservation to be clearly marked and retention of natural vegetation to be protected by fencing.
- Periodic supervision of construction activities by an ecologist.
- Target weed control to be undertaken with 10m of any works.
- Erosion and sediment control measures to be implemented.
- A feral predator baiting program.
- Where felling of hollow-bearing trees is required, this be conducted under the supervision of an ecologist. Hollows of retention value are to be relocated to nearby conservation area.
- Nest boxes may be required to replace hollows. Nest boxes should also target the Eastern Pigmy Possum.
- If fauna nest or roosts are located during development works, then work should cease until safe relocation can be advised by a fauna ecologist.
- Noise and light-spill is to be effectively managed to reduce impacts.
- Where bushrock is disturbed it should be relocated under the guidance of a fauna ecologist.

6.2.2 Bushfire

Travers has prepared a Bushfire Hazard Assessment, which is included at **Appendix 10**. The site is bushfire prone land and bushfire could potentially impact the site due to the existing vegetation in the southern portion of the site and the bushland adjoining and in the vicinity of the site.

As discussed in Section 5.1.2, the proposed development is a 'special fire protection purpose' (SPFP), on bushfire prone land and accordingly, a 'bushfire safety authority' is required under the *Rural Fires Act 1997*. Travers has undertaken a threat assessment to determine the Asset Protection Zones (APZ), building protection requirements, and hazard management. Access, water supply and emergency/evacuation requirements have also been considered.

Travers consider that the proposed development will comply with the objectives for SPFP for infill development. The proposed development whilst increasing site usage at certain time of the year, will provide an improved overall bushfire outcome as it will include a comprehensive suit of bushfire protection measures. These measures include implementation of APZ's, improved access for firefighting services, and increased building construction standards.

The development will require APZ of between 50m and 100m, with the majority of the site to be managed as an Inner Protection Area. The Bushfire Attack Level (BAL) construction standards that will apply to the proposed buildings are detailed Schedule 1 of **Appendix 10** and summarised in **Table 8** below:

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Table 9 BAL construction standards for the proposed buildings

Building	BAL Standard	Notes
Breakout spaces	BAL 29	No exposed timber
Dining Hall / Admin Building	BAL 12.5 (southern elevation) and BAL 19 (northern)	
Café	BAL 12.5 (southern elevation) and BAL 19 (northern)	
Ec lodges 1-5	BAL 12.5	Ec lodges 1 and 2 are low risk and do not require a BAL construction standard, however they are proposed to be constructed to BAL 12.5.
Ec lodge 6	BAL 12.5 and BAL 19	
Ecochalet 1	BAL 19 and BAL 29 (southern and eastern façade)	BAL 29 - No exposed timber
Ecochalet 2	BAL 12.5 and BAL 19 (southern and eastern façade).	
Ecochalet 3	BAL 12.5	
Auditorium	BAL 40	Drenching system and independent water supply system to be installed.
Bookshop	BAL 29	Non combustible shutters to be provided to the southern, eastern and western elevations.

It should be noted that the bookstore and the seven (7) breakouts spaces / meeting rooms are consistent with the previous development consent granted by Council (X/541/2010) and the design of these buildings has not changed from previous approval and the following design and construction requirements outlined in the previous Bushfire Safety Authority (for these buildings) from the RFS are recommended:

- Roofing shall be gutterless or guttering and valleys are to be screened to prevent the build-up of flammable material. Any materials used shall have a Flammability Index of no greater than 5 when tested in accordance with Australian Standard AS1530.2-1993 'Methods for Fire Tests on Building Materials, Components and Structures – Test for Flammability of Materials'.
- All new fencing shall be non-combustible.
- New construction shall comply with Australian Standard AS3959-2009 "Construction of buildings in bush fire-prone areas" BAL 29.
- There shall be no exposed timber on the proposed bookstore/meeting room.
- Non-combustible shutters are to be provided to the southern, eastern and western elevations of the proposed bookstore/meeting room.

Travers have also recommended the following measures:

- The development is as generally indicated on the attached Schedule 1 – Plan of Bushfire Protection Measures;
- The APZs are to be managed in accordance with RFS guidelines Standards for Asset Protection Zones (RFS, 2005), with landscaping to comply with Appendix 5 of PBP.
- Water and gas services should be installed in accordance with Section 4.2.7 of PBP and as detailed in Section 4 of the Bushfire Threat Assessment Report. An

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independent water supply is to be provided for the proposed auditorium drenching system.

- A detailed emergency / evacuation plan consistent with the RFS Guidelines for the Preparation of Emergency / Evacuation Plans is to be prepared;

6.2.3 Stormwater Management

A Stormwater assessment report has been prepared (**Appendix 6**) and site stormwater will be managed by:

- a proposed 497m³ above ground detention basin;
- Co-located 150m² bio-retention garden system to service Stage 1; and
- 84m² bio-retention raingarden to service Stages 2 and 3.

A Neutral or Beneficial Effect (NorBE) assessment on water quality has been undertaken and is included in the Stormwater Report at **Appendix 6**. The proposed treatment train measures include the above ground detention basin and two bio-retention raingardens to filter pollutant loads.

The report concludes that the proposed management measures will provide a reduction in pollutant loads and concentrations to achieve a neutral or beneficial effect. MUSIC modelling was prepared to assess pre and post development water quality which has shown that the proposed management measures would achieve the required water quality.

A soil and water management plan is included with the stormwater plans at **Appendix 6**. The soil and water management plan proposes the following measures during construction:

- Stabilised site access off Violet Street;
- Sediment fences along Violet Street;
- Sediment fence and straw bale barriers around the bioretention basin and stockpile area; and
- Geotextile inlet filters.

6.2.4 Traffic and Parking

The Transport Planning Partnership has prepared a Traffic Impact Assessment which is included at **Appendix 14**. This report assesses the transport impacts of the proposed development including the following:

- existing transport conditions surrounding the site;
- the traffic generating characteristics of the proposed development;
- car parking requirements;
- suitability of the proposed access arrangements for the site, and
- the transport impact of the development on the surrounding road network.

Access

The road network servicing the site comprises:

- Cliff Drive, a two-way, two-lane collector road that borders the eastern and southern frontage of the site, with a 50km/hr speed limit;
- Violet Street, a two-way, two-lane local road that borders the northern frontage of the site, with a 50km/hr speed limit; and
- Cliff Street a minor unsealed access roads, bordering part of the western frontage of the site. Access to Cliff Street is via Laurel Street.

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Main vehicular access into the site is currently off Cliff Drive, with a secondary access point available from Cliff Street. These existing access arrangements are to be retained and a new additional vehicle access point is proposed at Violet Street. The Violet Street entry will provide access to the reception and dining hall building and the Ecochalet and Ecolodge accommodation.

The internal driveways have been designed to accommodate access for a garbage truck (medium and heavy rigid vehicle) to the auditorium loading area and for a 7.5m truck for the waste collection area located at Violet Street and near the corner of Cliff Drive/Laurel Street. Swept path analysis has been undertaken which shows that delivery and waste collection vehicles can enter and exit the site in a forward direction.

Traffic

Intersection performance modelling was undertaken during the Easter Saturday period (2017), which represents a peak use period and the SIDRA analysis indicates that all intersections in the vicinity of the site are currently operating at Level of Service (LoS) A with ample spare capacity and minimum delays during peak hours. The proposed development will generate a similar intensity of operation during the highest use periods (e.g. Easter Convention) and therefore the surrounding road network will continue to operate satisfactorily.

The internal road network has also been designed to accommodate emergency vehicles including fire engines and ambulances.

Parking

Parking occupancy surveys were also undertaken during the 2017 Easter Convention as this represents a peak use period. During the peak period there was demand for 398 car parking spaces, which were accommodated on Clairvaux Oval.

As noted in Section 2.2, Clairvaux Oval has development consent for use as a car park, comprising 266 spaces on a sealed gravel surface at the eastern end of the oval and 418 spaces on the grassed oval. In addition, there are 53 spaces located around the existing Hartley, Kedumba and Clairvaux lodges.

The proposed development also includes 75 additional car parking spaces of the 119 Cliff Drive site. Therefore, the total parking provision available is 812 car parking spaces. Based on the DCP car parking rates for the proposed uses, the development would require 973 car parking spaces, whereas the existing peak demand is 473 car parking spaces.

The surveyed demand is significantly less than the DCP parking requirements due to the following:

- The family nature of the Easter convention event means that vehicle occupancy is high;
- The operation of designated shuttle bus services between the site and Katoomba Railway Station and other off-site accommodation.
- Multi-purpose trips involving patrons attending the auditorium, café and/or accommodation and therefore reducing overall parking demand on the site.

The active management of travel demand by KCC is a key factor in the successful management of the site. The continued use of travel demand management measures is recommended for the ongoing use of the site.

Outside peak use of the site, the proposed uses will be a lower intensity use of the site and ample car parking will be available.

In summary, the proposed development will not adversely impact on the road network and the internal circulation, servicing and parking arrangements are acceptable.

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6.2.5 Heritage

A Statement of Heritage Impact has been prepared by NBRS and is included at **Appendix 8**. The site is not heritage listed however there are heritage items in the vicinity of the site including the Jamison Valley Conservation Area and the following items:

- Item K003 - Scenic Railway & Environs, 2 Violet Street, Katoomba;
- Item K004 - The Landslide Blue Mountains National Park;
- Item K015 - Orphan Rock Blue Mountains National Park;
- Item K016 - Scenic Skyway Blue Mountains National Park; and
- Item K045 - Katoomba Coal Mine 2 Violet Street, Katoomba.

There are no changes proposed to the curtilage of the heritage items in the vicinity of the site as the proposed works are confined within the existing site boundaries, which are set back from the items and conservation area.

The proposed development has been assessed as having acceptable heritage impacts for the following reasons:

- The site is heavily vegetated, with the sloping topography screening views from the site to the heritage items in the vicinity, which are included in the Conservation Area.
- The building forms are generally low scale with the auditorium extension responding to the sloping topography protecting views to and from the ridgeline of the Conservation Area southeast of the site.
- The construction of the Ecochalets along the northeast portion of the site are acceptable as the bulk and scale of the new buildings as seen from Violet Street are reduced due to the floating roof forms and the sloping topography. Some trees will be retained along the site boundary, retaining a visual barrier to the site.
- Views to the new dining hall and administration and reception building and to the new café will be partially screened from Violet Street due to the change in topography and setbacks from the site boundary.
- The use of natural materials is complementary to the character of the surrounding environment. Views to the new development will be obscured by trees along the site boundary, retaining the visual setting of the Conservation Area to the east.

NBRS also consider that the development will not visually dominate the heritage items or the Conservation Area, as the scale of the new development is consistent with residential development in the vicinity as well as being set back from the site boundaries.

The proposed development will also retain vegetation screening along the site boundaries which will ensure that the bushland character of the site will be retained. Whilst trees are being removed to facilitate the proposed works, the new additions will not visually dominate the heritage items in the vicinity or the conservation area.

Recommendations

NBRS recommend the following measures

- *The vegetation along Cliff Drive should be retained as much as possible to retain the bushland setting of the KCC site adjacent to the Jamison Valley Heritage Conservation Area. Removal of selected trees required to facilitate the new development will need to be guided by the Tree Retention and Removal Plan prepared by Travers Bushfire & Ecology.*

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- *Trees along the site boundaries should be retained as a visual barrier protecting views and vistas from the site towards the Blue Mountains National Park and Scenic Railway Site included in the Jamison Valley Heritage Conservation Area. This includes the protection of views and vistas from significant lookout points.*

Aboriginal heritage

Council's pre-DA notes advised that a search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) on 19 December 2016 showed that no aboriginal sites are recorded in or near the site. Another search was undertaken on 16 February 2018 which also showed that no aboriginal sites were recorded on or near the site.

6.2.6 Noise

Acoustic Logic has prepared a noise impact assessment which is included at **Appendix 15**. The assessment considers the potential noise impacts of the proposed development and assesses noise from the following:

- Breakout noise from the operation of the auditorium;
- Use of the outdoor plaza; and
- Operation of mechanical plant (in principle).

The existing acoustic environment has low background noise levels due to proximity to the Blue Mountains National Park. Noise monitoring was conducted at the site to establish typical background and ambient noise levels associated with the surrounding uses. Noise loggers were placed near the residential properties on Cliff Drive (closest to the Plaza) and Violet Street and at the northern end of the site. The background noises levels ranged from 30 – 37 dB(A) during the day and 28-32 dB(A) during the evening.

In accordance with the Industrial Noise Policy (INP), where background noise levels are found to be less than 30dB(A), then the rating background noise level is set to 30dB(A). For the Cliff Street residences (the closest to the auditorium and plaza) the INP noise intrusiveness criteria for the project is 35 dB(A) (the background noise level +5dB(A)).

Noise emissions from the site have been addressed for the following noise sources:

- Noise breakout from amplified speech and music within the auditorium; and
- Noise from mechanical plant.

Auditorium

The use of the auditorium may entail amplified speech and music during religious conventions. Given its proximity to surrounding residential dwellings and the low background noise levels in the area, acoustic treatment to the auditorium is required to ensure compliance with noise emission objectives.

Acoustic Logic assessed the operation of the convention centre under two scenarios:

- Naturally ventilated mode with façade openings to the South (with all other facades openings closed). Activities within the auditorium are restricted with the façade open.
- Fully enclosed mode for loud amplified music (i.e. no doors or windows open and the internal sound pressure level limited to 95dB(A)).

Based on these operating scenarios, the predicated noise levels at the nearest residential receivers would be less than 35 dB(A) and therefore comply with the INP criteria.

The outdoor plaza is currently used for informal congregation of people outside the auditorium and there is no proposed change to the use of the plaza. Further, the construction of the

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breakout rooms around the plaza space will provide some acoustic shielding to the surrounding receivers.

Mechanical Plant

Detailed acoustic design of mechanical plant has not been undertaken at this stage and mechanical plant has not yet been selected. However, ventilation fans are expected to be incorporated into the convention centre and discharge attenuators or internally lined duct work may be required to ensure compliance with noise emissions criteria. Air-conditioning condenser locations are to be selected to ensure nearby residents are not impacted.

Management measures

Acoustic Logic recommend the following acoustic treatments and management measures to ensure compliance with noise criteria:

Auditorium

- *All glazing to be 10mm float or toughened with a minimum installed R_w/STC 33.*
- *External walls to be constructed from tilt concrete panel. Light weight infills are to be acoustically treated to maintain the acoustic integrity of the façade system.*
- *The recommended roof/ceiling construction is shown in Figure 2 (of the Acoustic Report). Penetrations in all ceilings (such as for light fittings etc.) must be acoustically treated and sealed gap free with a flexible sealant.*
- *All penetrations in the acoustic ceiling are to be acoustically treated to maintain the acoustic integrity of the ceiling construction. This includes (but limited to) light fittings, sprinkler heads, supply and return air grilles.*

Management conditions

- *Internal noise levels should not exceed the following.*

Table 6 – Maximum Internal Noise Levels Scenario	Maximum Internal Noise Level
<i>120m² open on the Southern facade</i>	<i>90dB(A) Leq</i>
<i>Closed façade</i>	<i>95dB(A) Leq</i>

- *Consideration should be given to the noise spectrum allowance to ensure noise breakout complies with recommended noise emission criteria.*
- *All doors and openings are to be closed as per the operational assumptions of this report.*
- *The operation of the convention centre is not recommended after 10pm in the evening.*
- *No amplified equipment is to be utilised in the outdoor plaza.*

6.2.7 Visual Impact

DFP Planning has prepared a Visual Impact Assessment which is included at **Appendix 13**. The VIA has assessed the visual impacts of the proposed development on the amenity of the surrounding area and has:

- Assessed the existing visual character of the site and surrounding urban landscape;
- Determined the extent and nature of the potential visual significance of the proposal on the surrounding visual receivers; and
- identified measures to mitigate and minimise potential visual impacts during construction and operation.

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The visual impact of the proposed development has been assessed from key points and the magnitude of visual change in the landscape. To assist in the assessment of the visual impacts, KCC installed height poles on site to indicate the height of the proposed auditorium (Figure 13).



Figure 13 View of auditorium with height poles

The magnitude of change is strongly influenced by the visibility of the proposed new buildings and the sensitivity of visibility. The categories of magnitude and sensitivity of visibility are defined in **Table 9** below:

Table 10 Magnitude and sensitivity of visibility	
Rank	Description
Negligible	Very minor loss or alteration to one of more key elements/features/characteristics of the baseline visual character and/or introduction of elements that are consistent with the visual character of the existing landscape character
Low	Minor loss and/or alteration to one or more key elements/features/characteristics of the baseline visual character and/or introduction of elements that are consistent with existing landscape character.
Moderate	Partial loss of/or alteration to one or more key elements/features/characteristics of the baseline visual character and/or introduction of elements that be may prominent but not considered to be substantially uncharacteristic of the existing landscape character.
High	Substantial to total loss of key elements/features/characteristics of the baseline visual character and/or introduction of elements considered to be totally uncharacteristic of the existing landscape character.

The magnitude and sensitivity of potential visual impacts to existing views would depend on a combination of scale, extent, distance and duration of the views. Impacts are assessed by applying a consistent set of criteria to each of the viewpoints as outlined in **Table 10** below.

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Table 11 Visual Impact Criteria

Criteria	Definition	Rating
Duration of View Long term Moderate term Short term Very short term	 > 1 hour 30 minutes to 1 hour 1 minute to 30 minutes < 1 minute	 High Moderate Low Negligible
Number of viewers High Moderate Low Very Low	 > 1,000 100 - 999 10 - 100 <10	 High Moderate Low Negligible
Viewer sensitivity (type) Resident / Hotel Guest Pedestrian / cyclist / Tourist Motorist		 High Moderate Low
View sensitivity Pristine landscape Moderately modified landscape Significantly modified landscape		 High Moderate Low
View distance / proximity Short Medium Long	 <100m 100m – 500m >500m	 High Moderate Low
Visibility in relation to the field of view Highly visible Visible Partially visible Barely visible		 High Moderate Low Negligible

The combination of sensitivity and magnitude provides a visual impact rating for the proposed works based on the following table:

Table 12 Visual Impact Assessment Matrix

		Magnitude			
		High	Moderate	Low	Negligible
Sensitivity	High	High	High - Moderate	Moderate	Negligible
	Moderate	High-Moderate	Moderate	Moderate - Low	Negligible
	Low	Moderate	Moderate - Low	Low	Negligible
	Negligible	Negligible	Negligible	Negligible	Negligible

The key view points assessed are shown in **Figure 14** and include:

1. Echo Point (1.2km from the site – **Figure 15**);
2. Panorama Drive (990m from the site - **Figure 16**);
3. Cliff View Lookout (650m from the site – **Figure 17**);
4. Scenic World (opposite the site);
5. Corner of Cliff Drive and Violet Street; and
6. Cliff Street.

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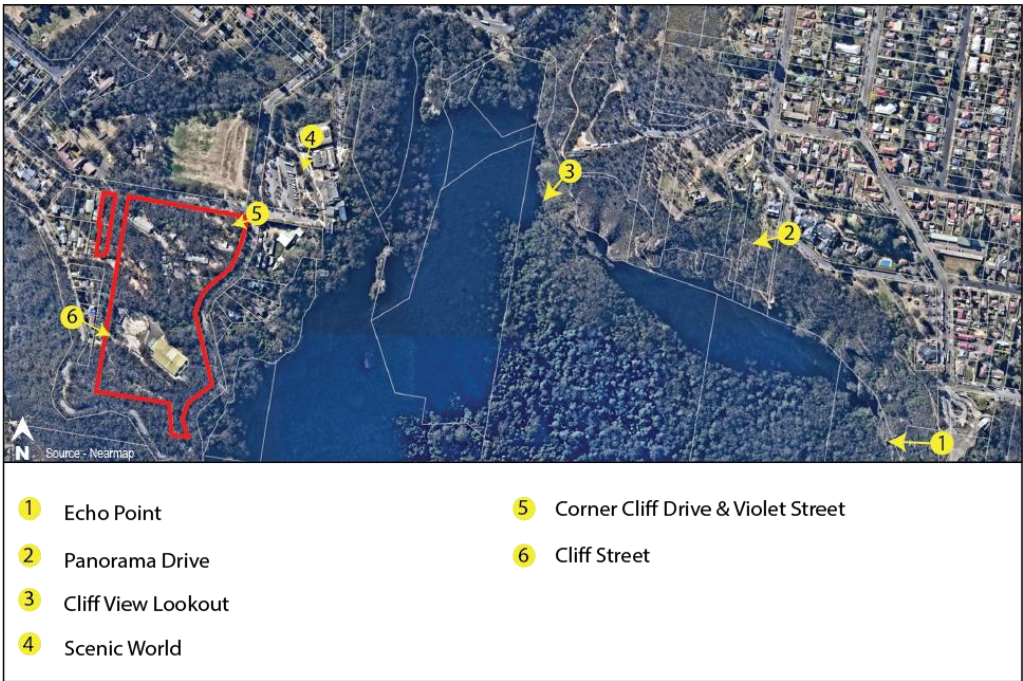


Figure 14 View points

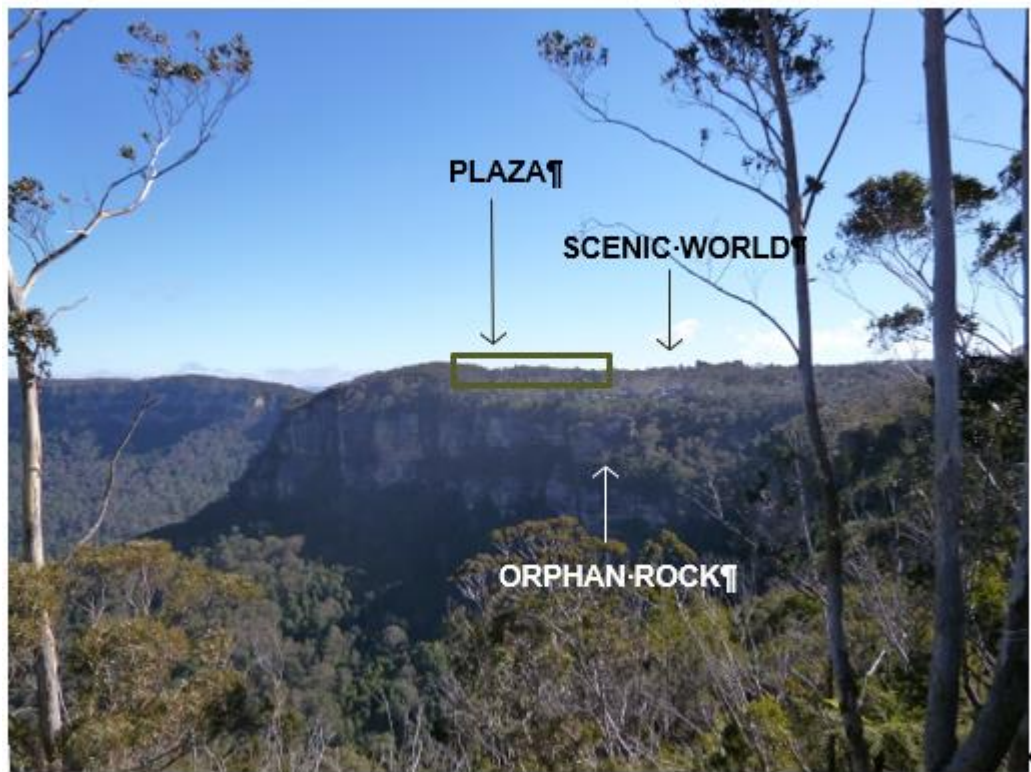


Figure 15 View from Echo Point

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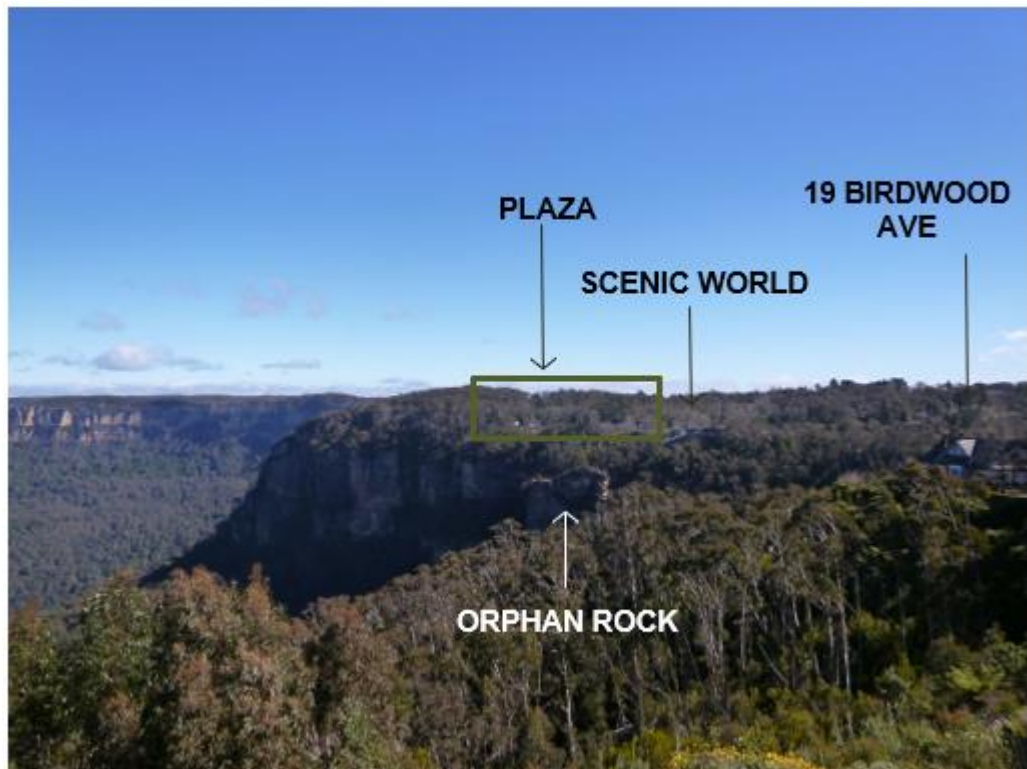


Figure 16 View from Panorama Drive

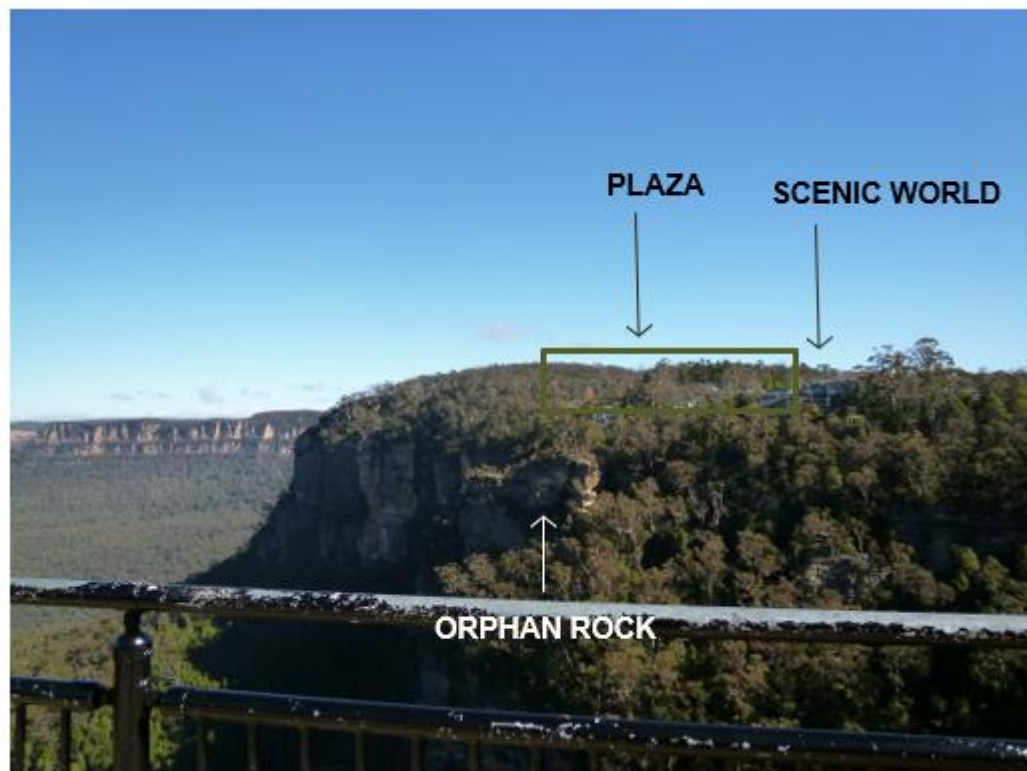


Figure 17 View from Cliff View Lookout

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In summary, the visual impact were assessed as follows:

- The Echo Point view is very sensitive to change because of the high number of viewers and iconic nature of the view, it is unlikely that the proposed development will be visible from this location. The scale of the proposed development in relation to the overall scale of the landscape setting is insignificant. The proposed development will not protrude above any adjacent vegetation nor will it disrupt the skyline by protruding above the tree canopy along the ridgeline.
- From Panorama Drive, the removal of trees as part of the construction works and the creation of the APZs will mean that the proposed development is likely to be more visible than the existing development. Nevertheless, the scale of the proposed development is small in relation to the overall scale of the view.
- From Cliff View lookout the overall scale of the proposed development is small in relation to the overall view. In addition, the buildings and structures associated with Scenic World and the scenic railway are located to the fore of the site. The proposed development will not impact views towards Orphan Rock, Scenic World and the sandstone escarpment. The proposed development will not protrude above the existing skyline.
- It is unlikely that the proposed development will be visible from Scenic World due to the existing Scenic World buildings and the existing on-site vegetation.
- The proposed dining, administration and café buildings will be visible, but will provide a sense of address for KCC to Violet Street. The proposed buildings will appear as buildings set within a landscape setting. Landscape and vegetation is the dominant feature of the view.
- The dwellings on Cliff Street are orientated to the west towards Narrowneck rather than the east. The auditorium, bookshop and breakout buildings will be visible, but the buildings will be contemporary and be of high architectural quality.

Generally, the proposed development has a negligible impact from significant public view points and a moderate to high visual impact when viewed from Cliff Drive/Violet Street intersection and Cliff Street., however the building will appear in a landscape setting and be of high architectural quality. **Table 12** summarises the findings.

Table 13 Visual Impact Assessment Summary			
	Motorist	Pedestrian / Cyclist / Tourist	Residents / Hotel Guests
View Point 1: Echo Point	N/A	Negligible	N/A
View Point 2: Panorama Drive	Negligible	Negligible	Negligible
View Point 3: Cliff View Lookout	N/A	Negligible	N/A
View Point 4: Scenic World	N/A	Negligible	N/A
View Point 5: Corner of Cliff Drive and Violet Street	Moderate	High-moderate	N/A
View Point 7: Cliff Street	Moderate	High-moderate	High

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Part of the site is identified as “Protected Area – Escarpment” under clause 6.12 of the Blue Mountains Local Environmental Plan 2015 (BMLEP). The objectives of this clause are as follows:

- (a) to preserve and enhance the visual, cultural and ecological values of the escarpment systems in the Blue Mountains,
- (b) to restrict development, including buildings, alterations and vegetation clearing, so as to minimise any adverse impact on the perception of escarpments as significant natural features,
- (c) to limit the proportion of hard surfaces in close proximity to escarpment systems,
- (d) to ensure that the design and siting of development minimises any adverse environmental impact,
- (e) to encourage the retention, restoration and maintenance of areas of disturbed native vegetation.

Th VIA has addressed this clause of the BMLEP and the proposed development is consistent with objectives of this clause as there are no significant or adverse visual or ecological impacts on the escarpments and the buildings have been sited to minimise environmental impacts.

6.2.8 Geotechnical Assessment

A Geotechnical Assessment (refer to **Appendix 12**) of the site has been undertaken by STS GeoEnvironmental Pty Ltd (STS). The assessment has reviewed the site conditions, geology and subsurface conditions, excavation and construction founding.

Excavation methods and founding design will require further assessment by an experienced engineering geologist or geotechnical engineer as works progress and actual soil and site conditions are exposed, however various excavation and founding methods can be adopted for the proposed development.

STS has also assessed the site slope constraints in accordance with Clause 6.4 of the BMLEP. An overlay of the buildings and slope constrained area is shown at **Figure 18**.



Figure 18 Slope constrained land overlay (Source NBRIS)

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Where possible the proposed buildings have sought to avoid being located in the slope constrained area, however the slope constraint mapping extends into part of the proposed Ecologes as well as the café and reception/dining hall building.

STS advised that provided the works are undertaken in accordance with the recommendation of their report in relation to safe batter slopes and temporary excavation support, the site is suitable for the proposed development.

6.2.9 BCA and Access

A BCA and Access compliance review has been undertaken by NBRS and is included at **Appendix 16**. The review assesses the Building Code of Australia 2016 (BCA) compliance and access requirements for the proposed auditorium, bookshop and breakout rooms and for the accommodation buildings.

The report concludes that the proposed design generally meets the relevant Deemed to Satisfy Provisions of the (BCA) with the exception of the following which will need to be addressed as Performance Solutions

The accommodation buildings include designs only with showers. The suggested option is that a certain percentage of the showers be changed to being shower baths to meet the requirement of Table F2.1. Alternatively, this is to be addressed as a Noncompliance with a Performance Solution to show that the design meets the associated performance requirement.

Several buildings due to the size and configuration of the windows proportional to the façade, do not meet the Deemed to Satisfy Provisions of Part J of the BCA. Therefore, Part JV3 performance solutions will need to be developed for the following buildings:

- Ecochalets;
- Café Building; and
- Dining and Administration Building.

6.2.10 Waste Management

ME Tech Consulting has prepared a Waste Management Plan (**Appendix 4**) for the proposed development, including the demolition and construction of the building and for the on-going operation of the place of public worship and accommodation facilities.

Construction

Waste avoidance strategies will be adopted to minimise waste and where possible, the proposed new works will utilise prefabricated components and finishes and materials to size to minimise waste. For construction generated waste, reuse and recycling opportunities will be considered and maximised where possible. Appropriate sorting and segregation of demolition and construction waste will be undertaken for efficient recycling. On-site waste sorting and segregation systems will be implemented.

Estimated waste volumes have been calculated and are detailed in the Waste Management Plan at **Appendix 4**. Where required, off-site disposal of waste will be undertaken at Blaxland landfill, Katoomba Resource Recovery Centre or other appropriate waste management centres.

Operational

Waste generated from the operation of the site will vary dependant upon the nature of activities. Waste associated with the KCC worship conventions will be of larger volumes for the duration of the activities. Waste generated from the accommodation facilities will occur more regularly and require more frequent collection. Anticipated operational waste generation rates are detailed in the waste management plan.

Designated waste and recycling storage areas are proposed as shown in the Waste Management Plan. Waste Collection Area A is located adjacent to the car parking spaces

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opposite Eco Lodge 3 and can be accessed by a waste collection vehicle using the internal roads. Waste Collection Area B is located in the main administration/dining hall building. A garbage room is located directly behind the loading dock and can be accessed directly off Violet Street. Waste from smaller bins located throughout the site will be transferred to the Waste Collection Areas for weekly collection or as required during larger worship conventions.

6.2.11 Operational Plan of Management

KCC has prepared an Operational Plan of Management (OPM) (refer to **Appendix 17**) details the management of site activities and management of accommodation. The OPM details:

- Traffic and parking management measures undertaken to minimise disturbance to surrounding neighbours;
- Noise management
- Environmental management;
- Emergency management; and
- Community Relations and Complaints Handling.

KCC actively manages the site to ensure there are minimal impacts on surrounding neighbours and has a strong working relationship with Scenic World, a major visitor destination in the Blue Mountains.

6.2.12 Crime Prevention Through Environmental Design

The NSW Police Force “Safer by Design Course” provides four main principles that are used in the assessment of proposed development to minimise the opportunity for crime. These four key principles are:

- Surveillance Measures (natural/technical/formal, lighting and landscaping);
- Access Control;
- Territorial reinforcement; and
- Activity and Space Management.

Each of these principles is discussed below.

Surveillance

Opportunities for crime can be reduced by providing opportunities for effective surveillance. The surveillance principle indicates that offenders are often deterred from committing a crime in areas with high levels of surveillance. From a design perspective, deterrence of crime can be achieved by providing:

- Clear sight lines between public and private places and maximising natural surveillance;
- Appropriate lighting and effective guardianship of communal and/or public areas; and
- Landscaping that make places attractive but does not provide offenders with a place to hide or entrap victims.

The design of the proposed development will provide improved opportunities for passive surveillance of Violet Street from the new reception/dining hall building and proposed café. The proposed café will provide opportunities natural surveillance of the street and the vehicular and pedestrian approaches to the site. The new accommodation facilities also provide opportunities for surveillance within the site as well as activation of spaces.

KCC has an onsite Duty Manager rostered on 24/7 and the KCC's Facilities Manager also resides in close proximity to the KCC site. KCC has a security system with building alarms

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and security camera monitoring installed which monitors key areas of the centre 24 hours, 7 days a week.

Access Control

Main vehicular access into the site is from Cliff Drive and a second vehicular access is proposed from Violet Street. Pedestrian access is also available by walking paths and trails. Activities on site may occur during the day and evening.

As noted above a permanent site office is located on site and as noted above on site Duty Manager is rostered 24hr/7 days. A security monitoring system is used to monitor the site. Whilst a determined perpetrator may potentially circumvent these measures, CPTED attempts to minimise, not eliminate, the opportunity for crime by design that discourages anti-social and criminal behaviour.

Territorial Reinforcement

This principle involves the ownership of spaces and that people will be more comfortable in visiting or using a communal space that is well-cared for and to which they feel they own. Well used places also reduce opportunities for crime and present as a deterrent to criminals. Also, designing with clear transitions and boundaries between public and private spaces, and clear design cues on what the area is used for is recommended.

Territorial reinforcement is reinforced by new spaces and layout of buildings across the site. The new reception building and café will reinforce the use of private spaces on the site and the new accommodate lodges will be modern facilities in a landscaping setting which will be well managed.

Operational Management

Management and maintenance of the site is an important element for the ongoing safety and security of a development. KCC have a comprehensive OPM (refer above) which sets out site management arrangements.

Activity and Space Management

This principle is linked to the principle of territorial reinforcement to ensure that spaces are appropriately utilised and well-cared for.

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of lighting etc.

Activity and space management of the site is actively undertaken by KCC who currently have 5 full time permanent staff on-site in addition to casual staff on an as needed basis. Additional staff and volunteers are used during larger KCC activities and events.

6.3 Suitability of the Site for Development

The proposed development aims to provide new and expanded facilities on the site to enable the ongoing use of the site. The proposal seeks to provide modern and contemporary facilities to replace the existing facilities, some of which are over 60 years old. KCC has operated from the site since the 1950's and the site is considered suitable for the existing and ongoing uses.

The siting and design of the buildings has considered the site's topographical and environmental constraints. The suite of consultants reports have assessed a range of environmental matters and the proposed development is considered to have acceptable and manageable environmental impacts. The proposed uses are a continuing a long term use of the site.

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6.4 Public Interest

In accordance with Section 79C(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest as it will provide upgraded facilities for a long term use of the site. Bushfire management measures will be improved by providing improved APZ and new buildings with better construction standards. An independent water supply and drenching system will also be established for the new auditorium.

New stormwater management measures will be established on-site to ensure the development will have a neutral or beneficial effect on stormwater quality.

The new accommodation buildings will provide quality, affordable accommodation for larger groups including church groups, schools groups and not-for-profit organisations visiting the Blue Mountains.

7 Conclusion

The proposed development seeks to provide modern and contemporary facilities to replace dated existing facilities approaching the end of their useful life and that are no longer meeting the expectations of users of the site. The new buildings will enable the continued, long term use of the site as predominately a place of public worship. The proposed development seeks consent for:

- Demolition of the existing auditorium and construction of a new 3,500 seat auditorium to be used as a place of public worship.
- A new bookshop building to replace the existing bookshop building. The building will also include new toilet facilities.
- Seven new breakout spaces/meeting rooms, ancillary to the auditorium.
- A new reception building with store rooms.
- Demolition of the existing 200 seat dining hall and construction of a new dining hall with 500 seat capacity, kitchen; laundry, storage, reception and administration space;
- A new café fronting Violet Street.
- Demolition of the existing accommodation buildings and construction of new accommodation buildings including six Ecolodges (with 56 beds each lodge) and three Ecochalets (18 beds each);
- New internal access roads and car parking areas.
- Removal of trees and site excavation for the new buildings.
- Landscaping works including planting of new replacement trees.

This SEE has described the site, surrounding development and provided a detailed description of the proposed development. An assessment of the proposal against the relevant provisions of Section 79C(1) of the EP&A Act has been undertaken. The assessment indicates that the proposed development generally complies with the BMLEP planning controls, with the exception of the maximum building height control and site coverage controls in the BMDCP. The largest breach of the maximum height control is the new auditorium which has a height of 12.9m. Accordingly, a Clause 4.6 Variation Request has been made and is attached at **Appendix 9** of this SEE.

The Clause 4.6 Variation Request concludes that the non-compliance with the building height limit will not cause any adverse impacts, in particular no adverse visual impacts, and still results in a building of a scale that is appropriate for the site and precinct. Additional plantings are proposed to enhance the landscape quality of the site.

It is considered that the proposed buildings are well designed and respond to the topography of the site. The café and dining hall/reception building are considered to have a positive impact on the Violet Street streetscape and will complement the buildings on and in the vicinity of the site. Whilst trees will be removed to facilitate the development and provide APZ, substantial area of trees and vegetation will be retained.

The suite of consultant's reports have assessed a range of environmental matters and the proposed development is considered to have acceptable and manageable environmental impacts.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in adverse impacts in the locality or adjoining neighbours.

The proposed development is therefore recommended for approval to the Sydney Western City Planning Panel and Council, subject to appropriate conditions of consent.