

CH 10 FORESHORE & W1 NATURAL WATERWAYS		
CONTROL	PROPOSED	COMPLIANCE
<b>8. Controls for Landscaping within Foreshore Area</b>		
<ul style="list-style-type: none"> <li>Landscaping works including retaining walls, stairs, paths and driveways are not permitted below the deemed MHWM.</li> </ul>	No development is proposed below the MHWM	<b>Complies</b>
<ul style="list-style-type: none"> <li>Natural features within the foreshore such as rock ledges and outcrops must be retained and the removal of natural rock, trees and vegetation to enable the construction of terraces will not be supported.</li> </ul>	The existing foreshore area within site has previously modified the area. There are no natural rock ledges. The proposed development will retain the existing vegetation and trees. There are no terraces proposed.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Natural ground levels are to be retained with minimal use of retaining walls. Where retaining walls are constructed the maximum wall height is 1m and materials, methods and colours that blend with the character and natural landscape of the area shall be used, such as dry sandstone walls or gabions filled with sandstone.</li> </ul>	Natural ground levels will be generally retained. No retaining walls are proposed in the foreshore area.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Indigenous plant species must be used in areas where native vegetation is present or has the potential to be regenerated.</li> </ul>	The proposed development has a mix of endemic, native and exotic plant species for the landscaped area.	<b>Complies subject to conditions requiring of planting of appropriate native species.</b>
<ul style="list-style-type: none"> <li>Exotic species that have the potential to spread into surrounding bushland are not permitted.</li> </ul>	There are no exotic species proposed that have the potential to spread to the surrounding bushland	<b>Complies subject to conditions requiring of planting of appropriate native species.</b>
<ul style="list-style-type: none"> <li>Existing mature trees should be retained where possible and incorporated into the design of the new development.</li> </ul>	All existing mature trees are proposed to be retained	<b>Refer to deferred commencement condition and discussion in report.</b>
<ul style="list-style-type: none"> <li>A minimum of 2 indigenous canopy trees that will obtain a mature height of 5m must be planted within the foreshore area.</li> </ul>	The proposed development has more than two indigenous trees proposed that will obtain a height of 5m	<b>Complies</b>
<ul style="list-style-type: none"> <li>Landscaping should be undertaken in line with Council's Greenweb map which is a tool to manage natural resources by identifying key areas of habitat and strengthening linkages between these areas.</li> </ul>	The proposed development landscaping has taken consideration of the Greenweb map in the landscape plan.	<b>Complies</b>

CH:27 - SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN		
CONTROL	PROPOSED	COMPLIANCE
<b>2.2 Streetscape and Building form</b>		
<ul style="list-style-type: none"> <li>Facades are to be composed with an appropriate scale, rhythm and proportion responding to the building's context and use.</li> </ul>	The proposed development facades are in line with the surrounding context and use in a Light Industrial zone. Using precast concrete, metal cladding, glazing, and brick that is responsive of the area and use of the site.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Where visible from the street, the façade should be articulated. Where blank walls are unavoidable, landscape screen planting is to be utilised to reduce visual impact of the building when viewed from the public domain or residential development.</li> </ul> <p><b>Note to Subclause 2:</b>  <i>Articulation can be provided by building setbacks, building structural elements, balconies, balustrades, cladding, sun shading devices and awnings, porticos, blade walls or projecting bays, and roofing and drainage elements. Large flat facades are to be avoided.</i></p>	The proposed development this is visible from the street are articulated, with different cladding and glazing types. The proposed development also has tree plantings on the perimeter to add to the street and reduce the visual impact of the development.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Building entrances are to be clearly defined and located so that visitors can readily distinguish the public entrance to each building, with entrances oriented to the street. Access to each entrance is to be provided by a safe direct route, avoiding potential conflict with vehicles manoeuvring on site</li> </ul>	The proposed development entrances with building identification signage with identifying the building number. Buildings will be orientated towards to internal estate roads. Entrances will have connection to the 1.5m pedestrian pathways.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Highly reflective materials are not acceptable for roof or wall cladding.</li> </ul>	The proposed roofing materials are not highly reflective.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Incorporate passive solar building design principles into development, including the optimisation of sunlight access</li> </ul>	The proposed development incorporates passive solar through glazing at the mezzanine	<b>Complies</b>

**CH:27 - SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN**

CONTROL	PROPOSED	COMPLIANCE
<p>and natural ventilation and the minimisation of heat loss, to avoid the need for additional artificial heating and cooling. For example, give careful consideration to the orientation and layout of the building and the location and design of window openings to incorporate sun shading devices and to facilitate summer cooling by cross ventilation.</p>	<p>levels that are appropriate for light industrial developments and will have an efficient thermal envelope and ventilation. The orientation of the office areas in an east-west orientation will ensure sufficient solar access.</p>	
<ul style="list-style-type: none"> <li>• For sites in excess of 1,000m<sup>2</sup>, an outdoor staff recreation area is to be provided. This area: <ul style="list-style-type: none"> <li>– min. 16m<sup>2</sup> in area with a min. dimension of 3m;</li> <li>– may be located within the front building setback, but not within the required 3m landscaped setback. The area may also be located within an upper floor balcony or in an enclosed courtyard;</li> <li>– should be designed to accommodate a table and chairs;</li> <li>– should be sited so that 6m<sup>2</sup> receives direct sunlight for the four hours between 10am and 2pm during mid-winter;</li> <li>– should provide shading in summer.</li> </ul> </li> </ul>	<p>There are 9 proposed communal open space areas within the site for staff. These areas provide shade and are designed to accommodate for a table and chairs.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>• Each unit within an industrial unit complex must provide an office space of at least 12m<sup>2</sup> and <ul style="list-style-type: none"> <li>– Be located close to the entry of each premises;</li> <li>– Have commercial floorspace ceiling heights;</li> <li>– Have easy access to toilet and kitchen facilities;</li> <li>– Attain natural daylight.</li> </ul> </li> </ul>	<p>All units in the proposed development provide office space on the mezzanine areas that have easy access to toilet and kitchen facilities and attain natural daylight.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>• Where an industrial unit complex consists of more than 10 units: <ul style="list-style-type: none"> <li>– building layout must allow for visual connections through and beyond the site to assist in breaking down the visual scale of the development and provide more legible site access for visitors;</li> <li>– consideration should be given to the use of varying architectural resolutions to further assist in breaking down visual scale and improving legibility for visitors.</li> </ul> </li> </ul>	<p>The proposed building layout is organised the internal estate roads, this provides for clear visual spine that allows for views from Captain Cook Drive through to the centre of the site and to the foreshore. This allows for visitors to have legibility and provides access to the buildings.</p> <p>The buildings have various architectural resolutions that break down the bulk and scale of the proposed development.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>• Where development sites adjoin Woollooware Bay or an open space reservation, the site layout and building forms should allow views from within the site to the bay or foreshore.</li> </ul>	<p>The proposed development gives views to from buildings 3 &amp; 4. Although due to the type of development and the infrastructure such as the layout of the roads there is a difficulty in providing views to Woollooware Bay from all the buildings in the site. The proposed does have landscaped areas on the north-eastern boundary of the site.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>• Any outdoor storage area must be screened with permanent fencing with a height at least to the height of the material expected to be stored and must be adequately sealed and drained.</li> </ul>	<p>There are no proposed outdoor storage areas</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>• An external energy efficient lighting system is to be provided for pedestrian access and driveways.</li> </ul>	<p>The proposed development will have an efficient lighting system for pedestrians and driveways.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>• Frontage works for all developments must be in accordance with the SSC PDDM. A minimum street tree planting rate is set at one indigenous canopy tree that will attain a min. mature height of 6m to be planted at max. spacing of 7.5m.</li> </ul>	<p>The proposed development does not meet the planting rates along the frontage.</p>	<p><b>Does not comply</b> <b>Refer to discussion in report and deferred commencement conditions</b></p>
<ul style="list-style-type: none"> <li>• For commercial premises or industrial development where high voltage power lines are not located in the site frontage, frontage works must include the bundling of local distribution power lines and other utilities and the provision of street lighting to meet the requirements of the SSC PDDM.</li> </ul>	<p>It is not proposed for there to be frontage works on Captain Cook Drive which is external to the site and contains street lighting and power lines.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>• Where there are powerlines which are not being undergrounded or bundled, street tree planting will only be required if they can be located 2m away from the wires. Where power lines are bundled, suitable trees can be planted underneath the bundled wires.</li> </ul>	<p>The proposed development does not include any changes to the street tree planting or the overhead wiring on Captain Cook Drive</p>	<p><b>Complies</b></p>

CH:27 - SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN		
CONTROL	PROPOSED	COMPLIANCE
<b>3.2 Building Setbacks</b>		
<ul style="list-style-type: none"> <li>Front setback 9m minimum</li> </ul>	The proposed building have a setback of 9m from Captain Cook Drive	<b>Complies</b>
<ul style="list-style-type: none"> <li>Side and rear setback – Nil, except where adjoining public reserve, or residential development 3m required</li> </ul>	There are at least 3m between the proposed buildings and adjoining sports field and foreshore area.	<b>Complies</b>
<b>4.2 Daylight Access</b>		
<ul style="list-style-type: none"> <li>Wherever possible, provide for the potential use of solar energy collectors by incorporating pitched roofs facing north.</li> </ul>	There is potential for the proposed development to have solar panels install on roofs.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Office space within each separate industrial unit should be designed so that daylight is provided to office areas.</li> </ul>	The proposed development has designed office spaces on an east-west orientation as to ensure adequate solar access.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Provide skylights wherever possible to improve energy efficiency.</li> </ul>	The proposed development has skylights to improve energy efficiency.	<b>Complies</b>
<b>5.2 Acoustic Privacy</b>		
<ul style="list-style-type: none"> <li>All noise generating equipment must be designed to protect the acoustic amenity of residential neighbours. All noise generating equipment must be acoustically treated and/or screened to meet the project specific noise criteria as determined by the NSW Industrial Noise Policy.</li> </ul> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li><i>In assessing noise levels at residences, the noise level is to be assessed at the most affected point on or within the residential boundary or, if this point is more than 30m from the residence, at the most affected point within 30m of the residence.</i></li> <li><i>In assessing noise levels at industrial premises, the noise level is to be assessed at the most-affected point on or within the property boundary.</i></li> </ol>	Development is accompanied by an acoustic impact assessment. This assessment has been reviewed environmental health team and considered acceptable.	<b>Complies</b>
<b>5.3 Assessment Principles:</b>		
<ul style="list-style-type: none"> <li>Where there is conflict between a noise source (new or existing) and a sensitive receptor (proposed or existing) preference should be given to the attenuation of any noise from the source rather than at the sensitive receptor.</li> </ul>		
<b>6.2 Landscaping</b>		
<ul style="list-style-type: none"> <li>A landscaped strip with minimum width of 3m must be provided adjacent to the front boundary (excluding the area occupied by the boundary)</li> </ul>	The proposed development has a 3m wide strip along the frontage of Captain Cook Drive	<b>Complies</b>
<ul style="list-style-type: none"> <li>Where site area permits, planting beds of minimum 1.5m width must be provided to side boundaries within the front setback</li> </ul>	The proposed development has setbacks of at least 1.5m with planting beds.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Landscaping should consist of a mix of small to large indigenous canopy trees informally spaced at 3 m intervals, in conjunction with screen shrubs and ground covers. At least 50% of the trees must be capable of achieving a height of at least 6 m at maturity</li> </ul>	The proposed development has not outlined plant schedule.	<b>Does not comply</b> <b>Refer to discussion in report and deferred commencement conditions</b>
<ul style="list-style-type: none"> <li>All trees and 50% of the understorey species used in landscaping must be chosen from the species list in the Sutherland Shire Council Native Plant Selector database except in Greenweb 'Core' and 'Support' areas where a greater percentage is required. Potentially invasive exotic species must not be used</li> </ul>	The proposed development has not outlined plant schedule.	<b>Does not comply</b> <b>Refer to discussion in report and deferred commencement conditions</b>
<ul style="list-style-type: none"> <li>In car parking areas, tree blisters 5.0 x 2.5m between every six (6) car spaces OR a continuous planting bed 3m wide between rows of cars must be provided. The area must be capable of supporting large trees and ground covers</li> </ul>	There are tree blisters 5.0 x 2.5m between every six (6) car spaces proposed.	<b>Complies</b>
<ul style="list-style-type: none"> <li>All landscaped areas are to be separated from hard paved areas by a dwarf wall or kerb to minimise damage caused by vehicles.</li> </ul>	The proposed development has a kerb to separated landscape from hard paved areas.	<b>Complies</b>
<ul style="list-style-type: none"> <li>On Taren Point Road, Captain Cook Drive and the Princes Highway fencing is permitted where required for</li> </ul>	There is existing fencing on the site which does not meet the control although this is proposed to be retained.	<b>No change to existing non-compliant fence</b>

CH:27 - SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN		
CONTROL	PROPOSED	COMPLIANCE
security reasons, but must be located 3m behind the front boundary.		
<ul style="list-style-type: none"> <li>Fencing within a front or side setback or the boundary of a public reserve to be a maximum of 1.8m in height, be open form and finished in black to ensure it is visually recessive.</li> </ul>	The existing fencing on the front and side setbacks have a maximum height of 1.8m, open form, and a black finish.	<b>Complies</b>
<ul style="list-style-type: none"> <li>All new developments will be required to install street frontage works such as street trees and/or footpath in accordance with the PDDM.</li> </ul>	The proposed development does not meet the planting rates along the frontage.	<b>Does not comply</b> <b>Refer to discussion in report and deferred commencement conditions</b>
<b>7.2 Access</b>		
<ul style="list-style-type: none"> <li>Continuous, independent and barrier free accessways must be incorporated into the building design, including effective signage, sufficient illumination, tactile ground surface indicators and pathways with limited cross-falls, sufficient width, seating and slip-resistant floor surfaces</li> </ul>	Proposed development is accompanied by an access assessment report demonstrating compliance with the requirements of this part.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Entrances are to enable convenient access for all</li> </ul>	Proposed development is accompanied by an access assessment report demonstrating compliance with the requirements of this part.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Safe emergency egress is to be provided for all users</li> </ul>	Proposed development is accompanied by an access assessment report demonstrating compliance with the requirements of this part.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Ramps, walkways, lifts and stairs are to be conveniently located and safe for all users</li> </ul>	Proposed development is accompanied by an access assessment report demonstrating compliance with the requirements of this part.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Signage is to be provided that clearly identifies and directs access routes</li> </ul>	Proposed development is accompanied by an access assessment report demonstrating compliance with the requirements of this part.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Building controls, services and amenities are to be located in accessible positions and of a suitable design to allow operation by all people</li> </ul>	Proposed development is accompanied by an access assessment report demonstrating compliance with the requirements of this part.	<b>Complies</b>
<b>8.2 Safety and security</b>		
<ul style="list-style-type: none"> <li>Development should be in accordance with CPTED Guidelines.</li> </ul>	The proposed development is in accordance with CPTED guidelines	<b>Complies</b>
<b>9.2 Parking Requirements</b>		
<ul style="list-style-type: none"> <li>Where a development is identified as Traffic Generating Development, then the parking requirement specified in the RTA Guide to Traffic Generating Development shall apply.</li> </ul>	The proposed development has 562 parking spaces which exceeds the required parking spaces as outlined in the SSCDCP2015 and RTA Guidelines.	<b>Complies however conditions are proposed to reduce amount of car parking and increase landscaping and tree retention. The proposed condition will ensure compliance with requirements of this part.</b> <b>Refer to discussion in report and deferred commencement conditions</b>
<ul style="list-style-type: none"> <li>Where a site has more than one street frontage, vehicle access should be from the lowest order road. Vehicle entry points from classified roads are only acceptable where no other access point is possible. Reciprocal rights of carriageway will be required where they can assist in achieving this outcome.</li> </ul>	Due to the size of site the proposal suggests using both Endeavour Road and Captain Cook Drive as a means for traffic to enter and leave the site. Although the Endeavour as the lower order road will be used for articulated and heavy vehicle access. Captain Cook Road is proposed to be the main access point for vehicles due to the siting, and will be used for small, medium, and heavy access vehicles.	<b>Does not comply however considered acceptable noting site location and surrounding traffic network. Council's traffic and transport team have reviewed and confirmed suitability subject to conditions.</b>
<ul style="list-style-type: none"> <li>Bicycle parking spaces must be provided at the rate of 1 space per 10 car parking spaces for the first 200 car spaces then 1 space per 20 parking spaces thereafter. In addition, 1 unisex shower is required per 10 employees.</li> </ul>	There are a proposed 132 which exceeds the SSCDCP2015 by 76 spaces. Due to the nature of the DA it is uncertain on the number of employees for each unit. Compliance with this control will be considered through separate fit out and use applications.	<b>Complies</b>

**CH:27 - SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN**

CONTROL	PROPOSED	COMPLIANCE
<ul style="list-style-type: none"> <li>Bicycle parking facilities are to be installed in accordance with Australian Standard AS2890.3 – Bicycle Parking Facilities (as amended), Austroad’s Guide to Traffic Engineering Practice – Part 14 Bicycles and the Austroads Bicycle Parking Facilities: Guidelines for Design and Installation (AP-R527-16).</li> </ul>	<p>Bicycle parking is proposed to be constructed in accordance with these standards.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>Bicycle parking facilities must address the following design principles:                             <ul style="list-style-type: none"> <li>Accommodate all usual types of bicycles such that damage to them is minimised during storage and retrieval.</li> <li>Not pose a hazard to bicycle users, pedestrians or motorists.</li> <li>Be well lit, safe and secure, easy to access and use.</li> <li>Cater for the different needs of residents, employees and visitors to the development.</li> <li>Be located in convenient and accessible locations within the development that allow for good passive surveillance; such as near key building entrances, the lobby and the lift core.</li> <li>When located within a car park, preferably be situated at street level and in a manner that provides the most direct, safe and convenient access while minimising conflict with vehicles and pedestrians.</li> <li>Where a bicycle parking and storage facility cannot be located at street level, it must be located no more than one level above or below street level. Access to street level entry and exits must be direct, safe and minimise potential conflicts with vehicles.</li> </ul> </li> </ul>	<p>The proposed bicycle parking facilities are in accordance with these principles and will be assessed when at the fit out of each unit.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>When the calculations for the numbers of parking spaces results in a part or fraction of a parking space of 0.5 or greater for the whole development, then the actual number shall be rounded up. For example 1.5 spaces shall be rounded up to 2 spaces for the whole development.</li> </ul>	<p>The proposed development is accompanied by a traffic and parking report and has exceeded the number of parking requirements.</p>	<p><b>Complies however conditions are proposed to reduce amount of car parking and increase landscaping and tree retention. The proposed condition will ensure compliance with requirements of this part.</b>  <b>Refer to discussion in report and deferred commencement conditions</b></p>
<ul style="list-style-type: none"> <li>Where a development proposal contains two or more land uses, the parking requirement shall be the sum of parking required for the individual land uses.</li> </ul>	<p>The proposed development is accompanied by a traffic and parking report and has exceeded the number of parking requirements.</p>	<p><b>Complies however conditions are proposed to reduce amount of car parking and increase landscaping and tree retention. The proposed condition will ensure compliance with requirements of this part.</b>  <b>Refer to discussion in report and deferred commencement conditions</b></p>
<ul style="list-style-type: none"> <li>Where a proposed development comprises two or more land uses with different peak parking demands, the total requirement may be reduced such that the peak demand is met at any one time, where supported by a study by a suitably qualified traffic engineer.</li> </ul>	<p>The proposed development is accompanied by a traffic and parking report and has exceeded the number of parking requirements.</p>	<p><b>Complies however conditions are proposed to reduce amount of car parking and increase landscaping and tree retention. The proposed condition will ensure compliance with</b></p>

**CH:27 - SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN**

CONTROL	PROPOSED	COMPLIANCE
		<p>requirements of this part.</p> <p>Refer to discussion in report and deferred commencement conditions</p>
<ul style="list-style-type: none"> <li>Car parking layout and vehicular access requirements and design are to be in accordance with the Australian Standards, in particular AS 2890.1-2004.</li> </ul>	<p>The proposed development is in accordance with the standard.</p>	<p>Complies however conditions are proposed to reduce amount of car parking and increase landscaping and tree retention. The proposed condition will ensure compliance with requirements of this part.</p> <p>Refer to discussion in report and deferred commencement conditions</p>
<ul style="list-style-type: none"> <li>Planting and walls adjacent to driveways must not block lines of sight for pedestrians, cyclists and vehicles.</li> </ul>	<p>The proposed development will not have planting and walls adjacent to driveways that will block lines of sight for pedestrians, cyclists and vehicles.</p>	<p>Complies</p>
<b>10 Late Night Trading</b>		
<ul style="list-style-type: none"> <li>B7 is a Low Activity Area for the purpose of Ch. 37</li> </ul>	<p>The site is proposed to operate 24/7 with a late night trading premises. The proposed development has an accompanied operational plan of management.</p>	<p>N/A</p>
<b>11.2 Waste</b>		
<ul style="list-style-type: none"> <li>A waste storage area is to be provided for all developments to store bins for general waste and recyclables.</li> </ul>	<p>The proposed development is accompanied by a waste management plan demonstrating the compliance with this control</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>Waste storage areas must not be within:                             <ul style="list-style-type: none"> <li>the front setback; or</li> <li>the parking area; or</li> <li>the landscaping area; or</li> <li>within 3m of the waterway; and</li> </ul>                             must not interfere with manoeuvrability, efficiency and safety of site access                         </li> </ul>	<p>No waste storage is proposed to be in these areas</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>Developments must be designed so that bins do not need to be wheeled more than 75 metres.</li> </ul>	<p>The proposed development is accompanied by a waste management plan demonstrating the compliance with this control</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>The location and design of the waste storage area must not detract from the amenity and character of the streetscape.</li> </ul>	<p>The proposed development has waste areas in discrete locations that will not detract from character or amenity</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>Waste and recycling facilities must be designed to prevent litter and contamination of the stormwater drainage system.</li> </ul>	<p>The proposed development is accompanied by a waste management plan demonstrating the compliance with this control</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>Bin storage and access requirements should take into consideration the future servicing requirements of the building.</li> </ul>	<p>The proposed development is accompanied by a waste management plan demonstrating the compliance with this control</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>Signage in waste storage areas must be encouraged and explain Council requirements for the separation of recyclable material and waste. Standard bin bay signage is available at cost through Council's Waste Services.</li> </ul>	<p>The proposed development will have signage in waste areas.</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>A tap must be provided in close proximity to the bin room/area.</li> </ul>	<p>The proposed development</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>A floor waste trap connected to the sewer shall be provided within the bin room area. Stormwater shall not be permitted to enter this floor waste trap.</li> </ul>	<p>The proposed development</p>	<p>Complies</p>
<ul style="list-style-type: none"> <li>Commercial and industrial premises require waste storage areas for 240L and/or 750L garbage bins and 240L recycling bins, having regard to the size of development and intensity of use.</li> </ul>	<p>The proposed development is accompanied by a waste management plan demonstrating the compliance with this control</p>	<p>Complies</p>

**CH:27 - SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN**

<b>CONTROL</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
<ul style="list-style-type: none"> <li>The site and driveway must accommodate waste collection vehicles used by the garbage service provider.</li> </ul>	The proposed development has driveways which accommodate for waste collection vehicles.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Containment measures must be applied to all developments to prevent water pollution in the event of a spill of any liquid (other than rainwater).</li> </ul>	The proposed development is accompanied by a waste management plan demonstrating the compliance with this control	<b>Complies</b>
<ul style="list-style-type: none"> <li>The floors of all new industrial and commercial developments must either be sunken or fall to the rear and away from exit points such as doorways. The joint between the floor and wall must be sealed such that in effect a container is created to function as a secondary containment measure within the building/unit.</li> </ul>	The proposed development is accompanied by a waste management plan demonstrating the compliance with this control	<b>Complies</b>
<ul style="list-style-type: none"> <li>50% of units in multi-unit industrial/commercial developments must be fitted out with drains and appropriately sized blind pits to accommodate wet processing operations to facilitate connection to the Sydney Water Sewer System under a Trade Waste Agreement. The fall of the floor of these units must be made to accommodate such an installation while still ensuring secondary containment.</li> </ul>	The proposed development is accompanied by a waste management plan demonstrating the compliance with this control	<b>Complies</b>
<ul style="list-style-type: none"> <li>Any development that handles hazardous, industrial or group A liquid waste must dispose of these wastes in accordance with the NSW Tracking Requirements prepared by the EPA.</li> </ul>	The proposed development is accompanied by a waste management plan demonstrating the compliance with this control	<b>Complies</b>
<ul style="list-style-type: none"> <li>Any development must store and handle dangerous goods in compliance with the requirements of the Occupational Health and Safety Act 2000, the Occupational Health and Safety Regulation 2001, the Explosives Act 2003, the Explosives Regulation 2005, the Radiation Control Act 1990 and the Radiation Control Regulation 2003.</li> </ul>	The proposed development is accompanied by a waste management plan demonstrating the compliance with this control	<b>Complies</b>
<ul style="list-style-type: none"> <li>The NSW Workcover Authority Code of Practice 2005 – ‘Storage and Handling of Dangerous Goods’ outlines control measures focused on physically containing the hazard and risks posed by dangerous goods and provides practical guidance to occupiers of premises on the safe storing and handling of dangerous goods.</li> </ul>	The proposed development is accompanied by a waste management plan demonstrating the compliance with this control	<b>Complies</b>

**CH: 35 OTHER USES**

<b>CONTROL</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
<b>3.2 Centre based Childcare Parking</b>		
<ul style="list-style-type: none"> <li>On-site parking is to be provided at the rate of 1 space/4 children for drop off and pick up.</li> </ul>	The proposed development is accompanied by a traffic and parking report and has exceeded the number of parking requirements.	<b>Complies however conditions are proposed to reduce amount of car parking and increase landscaping and tree retention. The proposed condition will ensure compliance with requirements of this part. Refer to discussion in report and deferred commencement conditions</b>
<ul style="list-style-type: none"> <li>5. Any variation to the parking rates must address the following issues (as relevant to the particular development):                             <ul style="list-style-type: none"> <li>Type and scale of the development and its potential impact on local traffic and parking conditions.</li> <li>Existing parking facilities already provided prior to further development.</li> <li>Site and building constraints.</li> <li>Heritage and urban design considerations including significant streetscape elements such as sandstone retaining walls, significant mature trees etc</li> </ul> </li> </ul>	The proposed development is accompanied by a traffic and parking report and has exceeded the number of parking requirements.	<b>Complies however conditions are proposed to reduce amount of car parking and increase landscaping and tree retention. The proposed condition will ensure compliance with requirements of this part. Refer to discussion in report and deferred</b>

CH: 35 OTHER USES							
CONTROL			PROPOSED		COMPLIANCE		
<ul style="list-style-type: none"> <li>On street and public parking in the area, as well as proximity and access to public transport.</li> <li>Location of local services, employment, retail and recreational facilities.</li> <li>Safety of vehicles, pedestrians and cyclists.</li> <li>Provision of any integrated, sustainable transport options benefiting the site.</li> </ul>					commencement conditions		
6.2 Signage							
<ul style="list-style-type: none"> <li>Signage must relate to the use of the premise</li> </ul>			The proposed building identification signage are for the business identification only, with future signage relating to the tenancy of corresponding units only.		Complies subject to condition requiring overarching signage strategy for whole estate.		
<ul style="list-style-type: none"> <li>The total area of all signs must not be greater than 25% of the elevation above awning level.</li> </ul>			The proposed signage area is not greater than 25% of the elevation above awning level.				
<ul style="list-style-type: none"> <li>The size and shape of any signage must relate to the size and shape of the building it is attached to. Larger building facades are capable of accommodating larger signs without detracting from the appearance of the building.</li> </ul>			The proposed signage relates to the size and shape of the buildings.				
<ul style="list-style-type: none"> <li>Wall signs must not protrude more than 300mm from the face of the wall or parapet</li> </ul>			The proposed signage does not protrude more than 300mm from the face of the wall				
<ul style="list-style-type: none"> <li>Signs must not project above the parapet of the building or that part of the building to which they are attached.</li> </ul>			The proposed signage does not project above any of their respective buildings parapet.				
<ul style="list-style-type: none"> <li>Signage must be integrated with the design of the building, having regard to the design and architectural merit of the building and the streetscape and not obscuring architectural features (windows, decorative mouldings etc) of the supporting building.</li> </ul>			Proposed signage is integrated with the design of the building.				
<ul style="list-style-type: none"> <li>Signs must not cover mechanical ventilation inlets or outlets</li> </ul>			Proposed signage does not cover mechanical ventilation inlets or outlets				
CH 37 LATE NIGHT TRADING							
CONTROL			PROPOSED		COMPLIANCE		
1. Application							
<ul style="list-style-type: none"> <li>This chapter applies to all development, including community facilities that: <ul style="list-style-type: none"> <li>seek approval for operating hours that fall between 10pm and 6am the following day;</li> </ul> </li> </ul>			The applicant is proposing for the facilities to be used 24/7 and extended hours (5am to 10pm) on the café on site.		Does not comply However considered acceptable as the location of the café is within the centre of the site and unlikely to impact adjoining and adjacent properties.		
2.2 Location of Late Night Trading Areas							
<ul style="list-style-type: none"> <li>Activity area: Low These are areas predominately characterised by low density residential land uses. Premises most suitable in the low activity areas are those that meet local needs. All areas not included in high and intermediate activity areas.</li> </ul>			The site is located within a low activity area		N/A		
3.2 Hours of Operation							
UNLICENSED	Use type and day	Base Hours Activity Area (mapped)			Extended Hours Activity Area (mapped)		
		High	Intermediate	Low	High	Intermediate	Low
	Unlicensed premises: Community facilities; Entertainment facilities; Function centres; Restaurant or café; Recreation facilities (indoor); Restricted premises.	6am-midnight	6am-11pm	6am-10pm	6am-3am	6am-midnight	6am-midnight
	Medical Centres	6am-3am	6am-midnight	6am-10pm	24 hours	6am-3am	6am-midnight
	Take away food and drink premises	6am-3am	6am-1am	6am-10pm	6am-3am	6am-1am	6am-midnight
	Neighbourhood shops; Service Stations, Shops and all other unlicensed premises trading after 10pm	6am-1am	6am-midnight	6am-10pm	24 hours	24 hours	24 hours
<ul style="list-style-type: none"> <li>Notwithstanding clause 3.2.1 above, it may be considered reasonable that outdoor areas may operate beyond those hours identified as 'extended hours,' but only where it can be demonstrated that this will not result in any adverse impacts upon the amenity of surrounding residents and neighbourhoods.</li> </ul>			The proposed hours are 24/7 for the warehouse and light industrial. The cafés proposed hours are 5am-10pm.		Does not comply However considered acceptable as the location of the café is within the centre of the site and unlikely to impact adjoining and adjacent properties.		
			The proposed hours are 24/7 for the warehouse and light industrial. The cafés proposed hours are 5am-10pm. Considered acceptable as the location of the café is within the centre of the site and unlikely to impact adjoining and adjacent properties.		Complies		



<b>CH 37 LATE NIGHT TRADING</b>		
<b>CONTROL</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
<b>4.2 Local Amenity</b>		
<ul style="list-style-type: none"> <li>Where a premise is located either in whole or as a component at ground level, active uses must be provided at ground level for day trade. Suitable justification must be provided where this cannot be achieved.</li> </ul>	The proposed café is at ground level and an active use, the other tenancies have ground entrances which will provide active day use.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Council may use reviewable conditions where it is uncertain about the impacts of the proposed development on adjoining land uses.</li> </ul>	Noted.	<b>Noted.</b>
<ul style="list-style-type: none"> <li>Any entertainment facility, function centre, food and drink premises (i.e., restaurant or café, take away for and drink premises, pub or small bar) or registered club, will be subject to a 1 year trial period by way of reviewable condition for extended operating hours to assess the ongoing management performance of a premises and its impact on neighbourhood amenity.</li> </ul>	The proposed development will be subject to a 1 year trial period through a reviewable condition for the extended hours for the café.	<b>Complies</b>
<b>5.2 Noise Management</b>		
<ul style="list-style-type: none"> <li>The movement of garbage and refuse (including empty bottles and cans) from inside the premises to outside storage bins or areas should not occur: after 10pm; and before 8:00am Monday to Saturday or before 9.00am on Sunday and Public Holidays. Movement of waste (other than cans/bottles or other waste movement with a risk of undue noise) from inside to outside the premises can occur outside these hours provided noise is minimised.</li> </ul>	The proposed development is accompanied by a waste management plan in line with such controls.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Owners and operators shall at all times have displayed at all staff exits and in the garbage storage area clearly visible and legible signs in the form of, or like "Bottle and cans are not to be moved from inside the premises to outside, and garbage is not to be collected by waste operators (other than by Council or its operators), after 10pm or before 8am (9am Sunday/Public Holiday). Movement of other waste from inside to outside the premises, after 10pm should occur quietly" (wording negotiable).</li> </ul>	The proposed development has signage at each storage area.	<b>Complies</b>
<ul style="list-style-type: none"> <li>No loading/unloading of any goods shall occur after: <ul style="list-style-type: none"> <li>after 7pm; and</li> <li>before 8:00am Monday to Saturday or before 9.00am on Sunday and Public Holidays.</li> </ul> </li> </ul>	The proposed development has loading management measures.	<b>Complies</b>
<ul style="list-style-type: none"> <li>The proprietor(s) and/or manager(s) shall take all steps necessary to ensure that no noise nuisance occurs from persons entering or leaving the premises.</li> </ul>	The proposed development proprietors and future tenants will ensure that no noise nuisance occurs as persons leave or enter the site.	<b>Complies</b>
<b>6.2 Safety and Security</b>		
<ul style="list-style-type: none"> <li>Owners and operators of late night trading premises are to demonstrate how they will responsibly manage the surrounding environment adjoining the premises (within a minimum 50 metre radius), to maintain local amenity, safety, security and prevent potential impacts on surrounding residents.</li> </ul>	The proposed development is accompanied by a CPTED which demonstrates compliance	<b>Complies</b>
<ul style="list-style-type: none"> <li>Signs must be permanently erected and placed in clearly visible positions within the premises, including immediately adjacent the entry / exit doors, requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. Details of the proposed signage, including its content and location/s shall accompany the application and be detailed in a Management Plan.</li> </ul>	The proposed development will have the relevant signs.	<b>Complies</b>
<ul style="list-style-type: none"> <li>In addition to the above, the following safety and security controls also apply to Shops (including Neighbourhood shops): <ul style="list-style-type: none"> <li>In order to maintain visibility to the shop interior, the shop front windows must not be obscured by: <ul style="list-style-type: none"> <li>blinds, curtains or the like;</li> <li>ii. advertising posters, painted signs, decals or displays that are fixed internally or externally to the shopfront;</li> <li>shelving; or</li> </ul> </li> </ul> </li> </ul>	The proposed cafe will maintain visibility to the shop interior.	<b>Complies</b>

CH 37 LATE NIGHT TRADING		
CONTROL	PROPOSED	COMPLIANCE
<ul style="list-style-type: none"> <li>▪ shop fittings, refrigeration equipment and the like which exceed 1200mm above finished floor level or which projects above the sill of the shopfront.</li> <li>– Any proposed shelving along glass shopfronts must be of an open-framed, see through construction and the combined height of shelving and any goods displayed must not exceed 1200mm above in finished floor level.</li> </ul>		
<ul style="list-style-type: none"> <li>• All licensed premises and late night trading venues must be equipped with a functioning CCTV system which complies with Australian Standard 4806.1—2006 - Closed circuit television (CCTV).</li> </ul>	The proposed development will have a CCTV in line with the proper standards.	<b>Complies</b>

7.2 Management Plans		
<ul style="list-style-type: none"> <li>• The following late night trading premises are required to provide a Management Plan: <ul style="list-style-type: none"> <li>– All premises trading within extended operating hours</li> <li>– All Licensed Premises</li> <li>– Function centres</li> <li>– Food and drink premises</li> <li>– Registered clubs</li> <li>– Sex services premises.</li> </ul> </li> </ul>	The proposed development is accompanied by an Estate Operational Plan of Management.	<b>Complies</b>
<ul style="list-style-type: none"> <li>• There may be instances where development types not listed above may warrant some form of late night trading assessment due to the local circumstances, or where a greater level of assessment is necessary to adequately examine the issue for a particular development.</li> </ul>	Noted.	<b>Noted.</b>
<ul style="list-style-type: none"> <li>• The following requirements should be regarded as the minimum mandatory requirements for late night trading evaluation:</li> <li>• A Management Plan may include but is not limited to the following details: <ul style="list-style-type: none"> <li>– Site and locality details</li> <li>– Organisational overview</li> <li>– Hours of operation</li> <li>– Noise control</li> <li>– Safety and security measures both on-site and off-site</li> <li>– a CCTV Plan</li> <li>– General amenity</li> <li>– Waste management, including garbage collection and placement of recyclable materials</li> <li>– Staffing</li> <li>– Liquor licensing information</li> <li>– Licensing accord membership</li> <li>– Signage</li> <li>– Crowd control measures and procedures</li> <li>– Transport accessibility (private and public)</li> <li>– Complaints handling procedures, recording and follow up actions.</li> </ul> </li> </ul>	The proposed development is accompanied by an Estate Operational Plan of Management demonstrating compliance with this part.	<b>Complies</b>

CH: 38 STORMWATER AND GROUNDWATER MANAGEMENT		
CONTROL	PROPOSED	COMPLIANCE
<b>.3 Permitted Off-Site Disposal</b>		
<ul style="list-style-type: none"> <li>• The post development rate of stormwater runoff (both piped and overland) from the site shall not exceed the rate of flow of runoff from the site than would exist prior to the subject development occurring.</li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	<b>Complies</b>
<ul style="list-style-type: none"> <li>• The peak rate of flow for any site shall be calculated on the basis of catering for all storm events up to and including the 1% AEP event.</li> </ul>		

**CH: 38 STORMWATER AND GROUNDWATER MANAGEMENT**

CONTROL	PROPOSED	COMPLIANCE
<ul style="list-style-type: none"> <li>• Where the post development rate of flow would exceed the predevelopment rate, or the rate established in accordance with subclause 2, the stormwater must be managed on site by a strategy utilising one or a combination of on-site retention and reuse, infiltration systems and on-site detention techniques. Where rainwater tanks are relied upon for stormwater management, rainwater tanks shall be assumed to be two-thirds full for the purposes of calculating peak flow and discharge.</li> <li>• Despite subclause 4 properties may be permitted to exceed the permissible site discharge, where it can be shown that the discharge from a property: <ul style="list-style-type: none"> <li>– does not pass through Council stormwater drainage infrastructure e.g. natural systems such as mangroves, creeks, a pipe, culvert, bridge, overland flow path or other control source or,</li> <li>– the peak rate of flow is equal to or less than the PSD in all storm events up to and including the 1% AEP event.</li> </ul> </li> </ul>		
<b>2.3 Methods of Off-Site Disposal</b>		
<ul style="list-style-type: none"> <li>• Having satisfied Clause 1.2, any stormwater permitted to be discharged off-site will require either : <ul style="list-style-type: none"> <li>– a legally created easement and associated formal drainage systems if it is to be directed across other lands, or</li> <li>– a formal piped connection to Council's stormwater drainage network</li> </ul> </li> <li>• Overland flow paths shall remain safe for vehicles, people, and in particular, children and the less mobile in all storms up to and including the 1% AEP event. The velocity and depth of overland flow paths shall not exceed a velocity depth product of 0.4.</li> <li>• Any exposed pipe work shall be designed and treated so as to minimise its visual impact.</li> <li>• Diverting flows from one drainage sub-catchment to another is not permitted. The levels of a site may not be changed to redirect stormwater to another drainage sub-catchment.</li> <li>• Charged stormwater drainage systems are not permitted.</li> <li>• Overland flow paths shall not be obstructed by development.</li> <li>• Residual stormwater shall be discharged within the same drainage sub-catchment as the site. Formal piped connection to the public stormwater drainage network is required where a pipeline or pit exists within 35m of the site, or an easement exists adjacent to the site.</li> <li>• The design of a formal piped connection shall prevent damage to street trees, infrastructure or impacts to public stormwater drainage infrastructure. It shall comply with Council's engineering and construction requirements. If this cannot be achieved Council may specify alternative disposal methods.</li> <li>• Water quality control devices shall be designed, constructed and maintained in accordance with the provisions of the Sutherland Shire Environmental Specification – Stormwater Management.</li> <li>• All development shall demonstrate compliance with each of the water quality objectives prescribed in Sutherland Shire Environmental Specification - Stormwater Management.</li> </ul>	<p>The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable</p>	<p><b>Complies</b></p>
<b>3.3 On-Site Rainwater Retention and Reuse</b>		
<ul style="list-style-type: none"> <li>• All development is to provide a rainwater tank(s) to collect run-off from the primary roof of the development. The size of the tank is to be as specified by the Sutherland Shire Environmental Specification – Stormwater Management.</li> </ul>	<p>The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable</p>	<p><b>Complies</b></p>

CH: 38 STORMWATER AND GROUNDWATER MANAGEMENT		
CONTROL	PROPOSED	COMPLIANCE
<ul style="list-style-type: none"> <li>All development must use harvested rainwater for the purposes of irrigation, toilet flushing, laundry use, car washing or similar beneficial purposes.</li> </ul>		
<ul style="list-style-type: none"> <li>Any greywater reuse systems shall comply with the National Guidelines for Water Recycling published by the Environment Protection and Heritage Council and Natural Resource Management Council – November 2006, or the most recent version.</li> </ul>		
<b>5.3 &amp; 5.4 Onsite Detention</b>		
<ul style="list-style-type: none"> <li>For all other development, an offset of 1m<sup>3</sup> of the required on-site detention is permitted for every 3m<sup>3</sup> of rainwater tank installed, providing the final OSD volume does not fall below 50% of the original design volume. This must be provided as a single rainwater tank connected to toilets, laundry, irrigation and used for other beneficial uses. The onsite detention requirement is to be calculated in accordance with subclause (4).</li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	<b>Complies subject to conditions as discussed in assessment report</b>
<ul style="list-style-type: none"> <li>The volume of stormwater to be detained on-site shall be calculated from the volume of water from a 1% AEP event less the volume of runoff established by Clause 1.2, less any volume infiltrated on-site and a third of the volume of any tanks used for rainwater reuse.</li> </ul>		<b>Complies subject to conditions as discussed in assessment report</b>
<ul style="list-style-type: none"> <li>Where a rainwater tank is proposed to offset an on-site detention requirement, the size of the rainwater tank required is the greater of the BASIX retention requirement and the proposed detention offset requirement.</li> </ul>		
<b>6.2 Water Quality</b>		
<ul style="list-style-type: none"> <li>Development must achieve a minimum of 80% retention of the Suspended Solids (SS) average annual load.</li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	<b>Complies subject to conditions as discussed in assessment report</b>
<ul style="list-style-type: none"> <li>Development must achieve a minimum of 40% retention of the Total Phosphorus (TP) average annual load.</li> </ul>		
<ul style="list-style-type: none"> <li>Development must achieve a minimum of 40% retention of the Total Nitrogen (TN) average annual load.</li> </ul>		
<ul style="list-style-type: none"> <li>Development must achieve a total retention of litter and organic matter greater than 50mm for storm events of up to 1 in 3 month ARI.</li> </ul>		
<ul style="list-style-type: none"> <li>Development must achieve a total retention of oil and grease for storm events of up to 1 in 3 month ARI.</li> </ul>		
<ul style="list-style-type: none"> <li>Where trash racks are installed, the gaps between the bars shall be 60mm.</li> </ul>		
<ul style="list-style-type: none"> <li>Where litter booms are installed, they are to be placed only where normal flow velocities are low and must incorporate a trap where they are used in tidal waterways.</li> </ul>		
<ul style="list-style-type: none"> <li>Where stormwater pit litter baskets are installed, they shall not exacerbate flooding and must incorporate a bypass.</li> </ul>		
<ul style="list-style-type: none"> <li>Where sand filters are used they shall be restricted to urbanised catchments smaller than 2 hectares. The entry of sediment and oil to the filtration media shall be controlled and a sediment trap provided upstream for pre-treatment. Developments with large concentrations of oil and litter, which could potentially block the sand filter, should be avoided. A suitable grain size, which maintains percolation rates, shall be used. Sand replacement schedules shall be provided.</li> </ul>		
<ul style="list-style-type: none"> <li>Provision must be made for convenient and safe regular inspection and periodic cleaning of water quality control measures</li> </ul>		
<b>B) 2. Groundwater Management</b>		
<ul style="list-style-type: none"> <li>Development shall not adversely impact on groundwater on site and in the vicinity.</li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	<b>Complies subject to conditions as discussed in assessment report</b>
<ul style="list-style-type: none"> <li>To ensure that there is no adverse impact on the environment and no threat to human health, a precautionary approach is to be taken and an Environmental Controls and Management Plan developed</li> </ul>		

**CH: 38 STORMWATER AND GROUNDWATER MANAGEMENT**

CONTROL	PROPOSED	COMPLIANCE
<p>for all developments where groundwater is intercepted, extracted or where discharge to groundwater is proposed.</p> <ul style="list-style-type: none"> <li>Water discharged from a development shall be treated appropriately to avoid adverse impacts on receiving surface waters and groundwater.</li> <li>Development shall comply with the requirements of ANZECC (Australia and New Zealand Environment and Conservation Council) set guidelines for limits for contaminants for the protection of aquatic ecosystems.</li> <li>Ground water monitoring may be required to be undertaken where a redevelopment requires a stormwater quality improvement device, including infiltration ponds and/or constructed wetlands, monitoring bores are required to demonstrate the effectiveness of controls. Provision shall be made for quarterly monitoring of groundwater level and quality determination for the first two (2) years, then annually thereafter. Monitoring shall be undertaken for the following analytical suite at a minimum: <ul style="list-style-type: none"> <li>Electrical conductivity, total dissolved solids, pH, alkalinity, turbidity, dissolved oxygen, iron, manganese, major cations / anions, heavy metals, oil and grease, nutrients, total petroleum hydrocarbons.</li> </ul> <p>Copies of the results of this monitoring are to be provided to Council within two months of each round of monitoring.</p> </li> <li>Remaining indigenous vegetation shall be protected to enhance water quality of groundwater resources. Clearing of indigenous vegetation is not permitted within the wetland buffer areas and riparian zones.</li> <li>Developments shall maintain groundwater hydrology so as to not detrimentally impact on the location and nature of the freshwater, saline water interface that exists along the foreshores.</li> </ul>		

**Ch: 39 NATURAL RESOURCE MANAGEMENT**

CONTROL	PROPOSED	COMPLIANCE
<b>1.2 Biodiversity Strategy - Greenweb</b>		
<ul style="list-style-type: none"> <li>Greenweb areas are to be landscaped with species indigenous to the Sutherland Shire. Trees and landscaping should be provided in a form and configuration that maintains and enhances the core habitat and vegetated linkages.</li> </ul>	<p>The proposed development reduces overall canopy cover. The proposed landscape plan proposes using native plants from the SSC Native Plant Selection</p>	<p><b>Complies subject to conditions as discussed in assessment report</b></p>
<ul style="list-style-type: none"> <li>Development should contribute to the maintenance of local habitats and connectivity between bushland remnants.</li> </ul>	<p>The proposed development reduces overall canopy cover and connectivity creates the significant amounts of hard surface areas..</p>	<p><b>Complies subject to conditions as discussed in assessment report</b></p>
<ul style="list-style-type: none"> <li>Development should ensure that off-site impacts into adjoining bushland are minimised, such as weed invasion, increased runoff and stormwater pollutants.</li> </ul>	<p>The proposed development does not propose any exotic species which have a risk of invasion to bushland areas. The proposal is accompanied by a stormwater and flood management plan and a vegetation management plan. This has been reviewed by councils engineering team and confirmed as acceptable</p>	<p><b>Complies subject to conditions as discussed in assessment report</b></p>
<b>1.4 Greenweb Support Areas</b>		
<ul style="list-style-type: none"> <li>Development should, through its siting, design and landscape treatment, maximise habitat values and minimise disruption to connectivity through: <ul style="list-style-type: none"> <li>continuous canopy and understorey planting along one boundary, or</li> <li>retention and revegetation of remnant bushland elements.</li> </ul> </li> </ul>	<p>The proposed development is mapped as a majority Restoration area with small sections of Support Area. The accompanying landscape plan proposed plantings. However, the proposed landscape has not maximised habitat values.</p>	<p><b>Does not comply</b> <b>Refer to discussion in report and deferred commencement conditions</b></p>
<ul style="list-style-type: none"> <li>The required treatment will depend upon the scale of the bushland remnants linked by the land or the quality of the remnants to be retained on site.</li> </ul>	<p>The proposed development includes the removal of several significant trees and creates the significant amounts of hard surface areas.</p>	<p><b>Does not comply</b> <b>Refer to discussion in report and deferred</b></p>

Ch: 39 NATURAL RESOURCE MANAGEMENT		
CONTROL	PROPOSED	COMPLIANCE
		commencement conditions
<b>1.5 Greenweb Restoration Areas</b>		
<ul style="list-style-type: none"> <li>Development should contribute to a long term strategy of establishing connectivity between bushland remnants through its siting, design and landscape treatment.</li> </ul>	The proposed development includes the removal of several significant trees and creates the significant amounts of hard surface areas.	<b>Does not comply</b> <b>Refer to discussion in report and deferred commencement conditions</b>
<ul style="list-style-type: none"> <li>For development in employment zones connectivity can be achieved through the planting of species indigenous to the Sutherland Shire.</li> </ul>	The proposed development's landscape plan uses the plants from the SSC Native Plant Selector	<b>Complies</b>
<b>2.2 Wetlands and Waterways</b>		
<ul style="list-style-type: none"> <li>Development shall minimise changes to the local surface runoff and groundwater flows to ensure that appropriate water flow regimes are maintained to wetlands and waterways.</li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	<b>Complies subject to conditions as discussed in assessment report</b>
<ul style="list-style-type: none"> <li>Stormwater flow is to mimic natural conditions and ensure a dispersed pattern of flow, avoiding newly created centralised or concentrated discharge points into the wetland or waterway.</li> </ul>	The proposed development is accompanied by an Ecological Assessment. This shows the developments accordance with this control.	
<ul style="list-style-type: none"> <li>Disturbance to stream and wetland sediments is to be minimised by regulated discharge of stormwater and dissipation of flows at discharge locations.</li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	
<ul style="list-style-type: none"> <li>Development shall not result in detrimental changes to temperature, salinity, chemical makeup and sediment loads of water entering the wetland or waterway.</li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	
<ul style="list-style-type: none"> <li>Where stormwater is proposed to be discharged to a wetland or waterway, pollution is to be reduced by installation of pollution and sediment control devices. Access to and cleaning of devices shall not compromise the wetland area's function or natural attributes. The following standards are to be met: <ul style="list-style-type: none"> <li>Pollutant levels shall be below those outlined in the ANZG 2018 Guidelines for Fresh and Marine Water Quality</li> <li>Pollution control devices shall be located so that they are not within a wetland or watercourse itself.</li> </ul> </li> </ul>	The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable	
<ul style="list-style-type: none"> <li>There shall be no clearing of indigenous vegetation within wetlands or riparian zones and clearing of indigenous vegetation within Wetland Buffer Areas shall be minimised.</li> </ul>	There is no proposed clearing of indigenous vegetation within the wetland or riparian zone and the Wetland Buffer Areas.	
<ul style="list-style-type: none"> <li>There shall be no clearing of indigenous stream bank vegetation and aquatic habitat.</li> </ul>	There is no proposed clearing of indigenous aquatic habitat	
<ul style="list-style-type: none"> <li>Removal of woody debris from wetlands and waterways should be minimised.</li> </ul>	There is no proposed works in wetlands or waterways	
<ul style="list-style-type: none"> <li>Lateral connectivity between waterways and riparian vegetation must be maintained. To satisfy this control proposed landscaping will have to in part, reflect a natural environment in terms of finished levels and the distribution of vegetation.</li> </ul>	The proposed landscape plan does not reflect the natural environment.	
<b>4.9 Special Considerations for Trees in Greenweb Areas</b>		
<ul style="list-style-type: none"> <li>This clause applies to all land shown on the maps entitled "Greenweb Strategy" which form part of the Development Control Plan as being Greenweb Core, Greenweb Support or Greenweb Restoration.</li> </ul>	The proposed development lies within a Greenweb – Restoration and Support area.	<b>N/A</b>
<ul style="list-style-type: none"> <li>This clause must be read in conjunction with the other assessment criteria specified in this section. Considerations of public safety, bush fire risk, hardship or scenic and visual quality will take priority over Greenweb considerations.</li> </ul>	Noted.	<b>N/A</b>
<ul style="list-style-type: none"> <li>All species indigenous to Sutherland Shire are to be retained.</li> </ul>	The proposed development in the accompanying arborist report is proposing to remove trees that are indigenous to the area.	<b>Does not comply</b> <b>Refer to discussion in the report and deferred</b>

**Ch: 39 NATURAL RESOURCE MANAGEMENT**

CONTROL	PROPOSED	COMPLIANCE												
<ul style="list-style-type: none"> <li>Native species that are not indigenous to the locality, or an exotic species with significant habitat value, may only be removed if replacement planting is to be undertaken which meets the following criteria:                             <ul style="list-style-type: none"> <li>It will improve the environmental function of the land by creating continuous canopy and under storey links, or</li> <li>The proposed planting will provide habitat for fauna known to inhabit the locality or includes species that are rare in the locality, or</li> <li>The proposed planting will improve the potential of the site to meet the Biodiversity - Greenweb objectives specified in SSDCP2015, or</li> <li>The proposed planting replaces a non-locally indigenous tree which is, or is likely to, distribute viable seed into bushland areas, and</li> <li>The replacement planting will reinstate privacy to neighbouring properties where removal of the tree will result in overlooking of neighbouring living room windows or outdoor living areas.</li> </ul> </li> </ul>	<p>The proposed development in the accompanying arborist report is proposing to remove trees that are native species not indigenous to the area. The proposed planting measures will not improve the environmental function or improve the area as to provide habitat to endangered species.</p>	<p>commencement conditions</p> <p><b>Does not comply</b> Refer to discussion in the report and deferred commencement conditions</p>												
<ul style="list-style-type: none"> <li>An exotic species without habitat value may be permitted to be removed and the required replacement planting will be required to meet the following criteria:                             <ul style="list-style-type: none"> <li>It will generally improve the potential of the site to meet the objectives of the clause, and</li> <li>The replacement planting will reinstate privacy to neighbouring properties where removal of the tree will result in overlooking of neighbouring windows or outdoor living areas.</li> </ul> </li> </ul>	<p>The proposed development in the accompanying Arborist Impact Assessment Report and Vegetation Management Plan has outline exotic trees it proposes to remove. Although the proposed measure will not generally improve the potential of the site to meet the objectives.</p>	<p><b>Does not comply</b> Refer to discussion in the report and deferred commencement conditions</p>												
<ul style="list-style-type: none"> <li>Council will not permit bushland vegetation to be removed on land shown on the maps entitled "Greenweb Strategy" as "Greenweb Core" or "Greenweb Support", other than for where it supported by the Rural Fire Service or where approval is granted as part of a development consent for work on the land.</li> </ul>	<p>Noted</p>	<p>N/A</p>												
<ul style="list-style-type: none"> <li>Where vegetation which is proposed to be removed is located on land identified as Greenweb core or Greenweb support on the maps, connectivity shall be maintained between bushland remnants through the provision of minimum corridor widths as set out in the table below:</li> </ul> <table border="1" data-bbox="199 1308 735 1442"> <thead> <tr> <th>Remnants Habitat Connected by Corridor</th> <th>Minimum Corridor Width</th> </tr> </thead> <tbody> <tr> <td>&gt;100ha</td> <td>200m</td> </tr> <tr> <td>50ha – 100 ha</td> <td>80m – 200m</td> </tr> <tr> <td>5ha – 50 ha</td> <td>30m – 80m</td> </tr> <tr> <td>2ha – 5 ha</td> <td>15m – 30m</td> </tr> <tr> <td>&lt;2ha</td> <td>Continuous canopy along one boundary of the site</td> </tr> </tbody> </table>	Remnants Habitat Connected by Corridor	Minimum Corridor Width	>100ha	200m	50ha – 100 ha	80m – 200m	5ha – 50 ha	30m – 80m	2ha – 5 ha	15m – 30m	<2ha	Continuous canopy along one boundary of the site	<p>The proposed development does propose in the Landscape Plan to have a canopy along the boundary of the site.</p>	<p><b>Complies subject to conditions as discussed in assessment report</b></p>
Remnants Habitat Connected by Corridor	Minimum Corridor Width													
>100ha	200m													
50ha – 100 ha	80m – 200m													
5ha – 50 ha	30m – 80m													
2ha – 5 ha	15m – 30m													
<2ha	Continuous canopy along one boundary of the site													
<p><b>4.15 Replacement Trees</b></p>														
<ul style="list-style-type: none"> <li>Where Council consents to the removal of an existing tree or bushland in accordance with this section, it will require the replanting of species on the land the subject of the application at the following rates. Replacement tree species will be specified by Council and will be indigenous species of a type suitable for the site.</li> </ul> <table border="1" data-bbox="209 1666 746 1778"> <tbody> <tr> <td>Single Dwellings Development</td> <td>4:1</td> </tr> <tr> <td>Dual Occupancy, Medium, High Density</td> <td>8:1</td> </tr> <tr> <td>Application to remove tree private property (No proposed development)</td> <td>2:1 on private land or 4:1 on public land by Deed of agreement</td> </tr> <tr> <td>Industrial and commercial development</td> <td>8:1</td> </tr> <tr> <td>Subdivision</td> <td>8:1</td> </tr> </tbody> </table>	Single Dwellings Development	4:1	Dual Occupancy, Medium, High Density	8:1	Application to remove tree private property (No proposed development)	2:1 on private land or 4:1 on public land by Deed of agreement	Industrial and commercial development	8:1	Subdivision	8:1	<p>The proposed development in the accompanying Arborist Impact Assessment Report and Vegetation Management Plan does not meet the 8:1 replacement rate.</p>	<p><b>Does not comply</b> Refer to discussion in the report and deferred commencement conditions</p>		
Single Dwellings Development	4:1													
Dual Occupancy, Medium, High Density	8:1													
Application to remove tree private property (No proposed development)	2:1 on private land or 4:1 on public land by Deed of agreement													
Industrial and commercial development	8:1													
Subdivision	8:1													
<ul style="list-style-type: none"> <li>Where the land can gain views of waterways replacement species will consist of open form species to allow views to be gained through the canopy.</li> </ul>	<p>The proposed development in the accompanying Landscape Plan and Vegetation Management plan has a proposed plant schedule has not allowed open form species.</p>	<p><b>Does not comply</b> Refer to discussion in the report and deferred commencement conditions</p>												

<b>Ch: 39 NATURAL RESOURCE MANAGEMENT</b>		
<b>CONTROL</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
<ul style="list-style-type: none"> <li>Replacement trees are to be cared for by the land owner until established to a size which is covered by the controls for tree and bushland vegetation i.e. diameter of 100mm or more measured at 500mm above ground level.</li> </ul>	The proposed development is an accompanying Vegetation Management Plan which outlines the implementation procedure.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Consideration may be given to vary the replacement ratios specified in 4.15.1 where a proponent enters into an agreement under the Biodiversity Offset Scheme in accordance with the Biodiversity Conservation Act.</li> </ul>	The proposed development does not meet the replacement ratios and the proponent has not entered into an agreement for offsets.	<b>Does not comply</b> <b>Refer to discussion in the report and deferred commencement conditions</b>
<b>4.16 Protection of Trees and Bushland during Construction</b>		
<ul style="list-style-type: none"> <li>Where viable canopy trees or remnant bushland exist on a site, development shall be carefully designed and sited so that the removal of valuable trees and bushland is minimised.</li> </ul>	The proposed development is reducing overall canopy cover and proposes to remove significant trees.	<b>Does not comply</b> <b>Refer to discussion in the report and deferred commencement conditions</b>
<ul style="list-style-type: none"> <li>Where no construction works are proposed, any existing indigenous undergrowth is to be retained.</li> </ul>	The proposed development does not remove any indigenous undergrowth where construction is not proposed.	<b>Complies</b>
<ul style="list-style-type: none"> <li>All construction works (including the installation of services, site sheds, buildings and stockpile materials and rubbish) shall be located outside the tree protection zone (in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites) of the trees and bushland areas to be retained. This requirement also applies to street trees and trees on adjoining land.</li> </ul>	The proposed development is accompanied by an Arborist Report which is in accordance with the standards of tree protection.	<b>Complies</b>
<ul style="list-style-type: none"> <li>For the purpose of subclause 3: <ul style="list-style-type: none"> <li>consideration of the tolerance of individual species to disturbance may modify the minimum acceptable distance from that shown in this table.</li> <li>minimum distance refers to the location of the tree protection fence when measured from the centre of the tree trunk at 1.4m above ground level to protective fencing.</li> <li>with appropriate precautions, temporary site works may occur within the protected area.</li> <li>the use of under boring techniques at depths below 600mm, is required to be retained to minimise the impacts of installation of service conduits, pipelines or the like on trees and bushland.</li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li>An arborist, horticulturalist or bush regenerator may be required to undertake and supervise works on or near areas of bushland or individual trees required to be retained.</li> </ul>	The proposed development is accompanied by an Arborist Report which recommends the project arborist be on site to supervise works.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Temporary fencing and siltation control measures shall be provided between site works and any trees or bushland on or adjacent to the site required to be retained.</li> </ul>	The proposed development is accompanied by an Arborist Report which is in accordance with the standards of tree protection.	<b>Complies</b>
<ul style="list-style-type: none"> <li>Surface and ground water flows to bushland areas and individual trees shall be maintained in their natural state.</li> </ul>		
<ul style="list-style-type: none"> <li>The position and alignment of foundations and underground services shall be designed and located to avoid the severing of tree roots greater than 50mm in diameter.</li> </ul>		
<ul style="list-style-type: none"> <li>Developments are to be designed to ensure that existing natural ground levels within Tree Protection Zones are maintained. Cut and fill within such areas is not permitted.</li> </ul>	The development does propose using cut and fill measures within tree protection zones.	<b>Does not comply</b> <b>Addresses conditions by of consent.</b>
<ul style="list-style-type: none"> <li>Development should maintain vegetative cover on slopes greater than 18 degrees.</li> </ul>	The proposed development does not have slopes of 18 degrees.	<b>Complies</b>
<b>Ch 40 ENVIRONMENTAL RISK</b>		
<b>CONTROL</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
<b>B) Contaminated Land Management</b>		
<b>1.5 Controls where a Stage 3 – Site Remedial Action Plan is Required</b>		



**Ch 40 ENVIRONMENTAL RISK**

CONTROL	PROPOSED	COMPLIANCE
<ul style="list-style-type: none"> <li>Where the Detailed Site Investigation indicates contamination in soil or groundwater above normal background levels for that area or above thresholds for health based investigation levels provided in the National Environmental Protection Measure (Assessment of Site Contamination) 1999 (amended 2013) or other appropriate guidelines, and development consent is required for site remediation work, a Site Remediation Action Plan will be required by Council.</li> </ul>	<p>The proposed development is accompanied by a Preliminary and Detail Site Investigation and a Remediation Action plan. This has been reviewed by the council engineering team and is considered as acceptable and in accordance with the relevant standards.</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>The Site Remedial Action Plan must be prepared in accordance with Guidelines made under Section 105 of the Contaminated Land Management Act 1997, the National Environmental Protection (Assessment of Site Contamination) Measure 1999 (amended 2013), the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC 2000) and any other relevant guidelines.</li> </ul>		
<ul style="list-style-type: none"> <li>If the contamination consists of asbestos, the Site Remedial Action Plan must also be prepared in accordance with the appropriate WorkCover NSW guidelines and advice, and any other relevant guidelines.</li> </ul>		
<ul style="list-style-type: none"> <li>Following the submission of the Site Remedial Action Plan, Council may:                             <ul style="list-style-type: none"> <li>Require the works to be carried out and validated prior to the determination of the application in cases where the remediation of the site is uncertain or if risk to human health or the environment is significant, and/or,</li> <li>Appoint a Site Auditor accredited under the NSW Site Audit Scheme to undertake a review of any or all stages of the site investigation, remediation or validation process in accordance with the <i>Contaminated Lands Management Act 1997</i>.</li> </ul> </li> </ul>		

**C) Flood Risk Management**

**5.1 Development on Flood Prone or Potentially Flood Prone Land**

<ul style="list-style-type: none"> <li>Where a site is flood prone or potentially flood prone and a proposed development is confined to a particular part of the site which is flood free (as identified by Council's Flood Risk Management Map or a site specific flood study prepared by an appropriately qualified engineer in accordance with Council requirements), it may be considered to satisfy the objectives of this chapter. In these circumstances no flood related development controls will be imposed other than those relating to site evacuation.</li> </ul>	<p>The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable</p>	<p><b>Complies</b></p>
<ul style="list-style-type: none"> <li>Despite subclause 1, flood related development controls will apply if any excavation associated with a development is considered likely to increase flood inundation such that the proposed development would become vulnerable to flooding below the FPL.</li> </ul>		
<ul style="list-style-type: none"> <li>Where development is proposed on land within a floodway, the floodway is to be retained as a natural waterway. If the floodway comprises a man-made system it is to be converted to a natural waterway wherever practical.</li> </ul>		

**5.4 Development on Land mapped. As Medium Flood Risk**

**Ch 40 ENVIRONMENTAL RISK**

CONTROL	PROPOSED	COMPLIANCE
---------	----------	------------

	Medium Flood Risk							
	Essential Community Facilities	Sensitive uses and facilities	Subdivision	Residential	Commercial and Industrial	Tourist related development	Recreation and non-urban	Concessional Development
Floor Level				2,4,6	2,4,6	2,4,6	1	5,6
Building Components & Method				1	1	1	1	1
Structural Soundness				1	1	1	1	1
Flood Effects			1	1	1	1	1	1
Car Parking And Driveway Access				1,2,3, 4,5,6	1,2,3, 4,5,6	1,2,3, 4,5,6	4,5,6	4,5,6
Evacuation			7	2,3 or 4,5	1,2,4, 5	2,4,5	4,5,6	2,3 or 4,5
Management and design			1		3,5	3,5	2,3,5	2,3,5

The proposal is accompanied by a stormwater and flood management plan. This has been reviewed by councils engineering team and confirmed as acceptable

**Complies**

- Habitable floor levels to be equal to or greater than the 1% AEP flood level plus 500mm freeboard.
- Non-habitable floor levels shall be assessed on merit having regard to the 5% AEP level as well as privacy and amenity impacts.
- Where a building is elevated to reduce flood hazard, the undercroft area is to remain open to permit the free flow of water under the building.
- Non-habitable floor levels shall be assessed on merit having regard to the 5% AEP level as well as privacy and amenity impacts.
- An engineer's report shall be provided to certify that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood level plus 500mm freeboard.
- The minimum surface level of open car parking spaces or carports shall be no lower than the 1% AEP flood or the level of the crest of the road at the location where the site has access to the road.
- Garages shall have a minimum finished floor level no lower than the 1% AEP flood plus 200mm freeboard.
- The level of the driveway providing access between the road and parking space shall be no lower than 300mm below the 1% AEP flood or such that the depth of inundation during a 1% AEP flood is not greater than either the depth at the road or the depth at the car parking space.
- Basement garages and car parking areas with floor level below the 5% AEP flood or more than 0.8m below the 1% AEP flood level, shall have a pump-out system, adequate warning systems, signage and exits.
- Restraints or vehicle barriers shall be provided to prevent floating vehicles leaving a site during a 1% AEP flood. A flood depth of more than 200mm will cause serious water damage to a typical vehicle and a depth of 300mm is sufficient to cause a typical vehicle to float.
- The crest of the driveway providing access between the road and basement garages shall be a minimum of 200mm above the level of the 1% AEP flood.
- Reliable access for pedestrians or vehicles shall be provided during a 1% AEP flood.
- Reliable access for pedestrians or vehicles shall be provided from the building commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level.
- Adequate flood warning systems, signage and exits shall be available to allow safe and orderly evacuation without increased reliance upon the SES or other authorised emergency services personnel.

**Ch 40 ENVIRONMENTAL RISK**

<b>CONTROL</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
<ul style="list-style-type: none"><li>The development shall be consistent with any relevant flood strategy, Floodplain Risk Management Plan adopted by Council or similar plan.</li></ul>		
<ul style="list-style-type: none"><li>An area shall be available within the dwelling to store goods above the 1% AEP flood level plus 500mm freeboard.</li></ul>		
<ul style="list-style-type: none"><li>No storage of materials which may cause pollution or be potentially hazardous during any flood is permitted below the 1% AEP plus 500mm.</li></ul>		