

Attachment 9 – Shellharbour Development Control Plan 2013 Compliance Table

CHAPTER 3 – RESIDENTIAL DEVELOPMENT

State Environmental Planning Policy 65 – Design Quality for Residential Apartment Development is the overriding policy to assesses built form outcomes for this type of development. This assessment has been provided above. Notwithstanding, the front, side and rear setbacks of the proposal exceed the requirements for dwellings under the SDCP 2013.

CHAPTER 6 – COMMERCIAL DEVELOPMENT

Chapter 6 Commercial Development in the Shellharbour Development Control Plan 2013 (SDCP 2013) states that the provisions in the chapter apply to development located in the B1, B2 and B5 land use zones and specific areas adjoining town centres. As the proposal does not strictly fall into any of these categories the setbacks and awning treatment of the building has been assessed on a merit basis. The proposed op-shop and neighbourhood shop land uses in conjunction with the close proximity of the site to Warilla Town Centre warrant an assessment under these planning controls.

The 3m building setback to George Street is appropriate for its purpose and location being a retail land use in a residential zone. An awning is proposed around the whole building which is consistent with the requirement for awning treatments in the Warilla Town Centre section of Chapter 6 in the Shellharbour DCP 2013. The 2.5m width of the awning projecting from the building to George Street will assist in reducing glare and heat into the building due to the northern orientation.

It is noted that two *Acer platanoides* (Crimson Sentry) are proposed under the awning area with a 7m mature height and 4m width. As the mature height and width of the tree species exceed the building, a condition of consent has been recommended for the two (2) trees to be substituted with appropriate height species.

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT

	Provisions	Proposed	Compliance
13.1 Numerical parking requirement			
Minimum parking requirement			
13.1.1	<p>Table 13.1 below states the minimum car parking requirement that a development must provide. See the relevant extract from the table at figure below.</p> <p>Housing for Seniors & People with a Disability</p> <p>Parking requirements for residents, employees and visitors are specified in <i>State Environmental Planning Policy (Housing for Seniors & People with a Disability) 2004</i>.</p> <p>Additional parking may be required for 'self-contained dwellings' component of a development as follows:</p> <ul style="list-style-type: none"> • 2 visitors parking spaces / 7 self-contained dwellings for developments comprising of 9 or more self-contained dwellings • + 1 space / 2 person to be employed in connection with the development • + 1 space for any manager <p>Retail shop</p> <p>1 space / 35m² gross floor area</p> <p>Neighbourhood shop</p> <p>1 space / 35m² gross floor area + 1 space / staff on the site at any one time during peak period; a minimum of 4 parking spaces must be provided</p> <p>SEPP Residential Requirement: 0.5 spaces per bedroom. Required residential: 134 car parking spaces Required visitor: 33.71</p> <p>Required retail shop (op-shop): 5 spaces</p>	<p>144 residential and 30 visitor car parking spaces and four (4) EV charging stations for common use are proposed. The proposal has a shortfall of four (4) visitor spaces which can be substituted with the surplus residential spaces. A condition to ensure that a minimum of 34 visitor spaces are provided has been recommended. Additionally, a condition requiring a minimum of one car parking space per</p>	<p>Residential – Yes</p> <p>Visitor – Condition imposed.</p> <p>Neighbourhood shop – No. Variation supported.</p> <p>Op-shop – No. Variation supported.</p>

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
	Required neighbourhood shop: 2.2, no staff identified.	<p>apartment has been proposed.</p> <p>No full-time employees will be on-site in connection with the development. Landscaping and maintenance staff will attend on an as-required basis.</p> <p>No designated staff/customer car parking is provided for the op-shop or neighbourhood shop. The applicant has adequately justified that on-street car parking can accommodate the parking demand of the op-shop and neighbourhood shop. There is no current formal car parking for the existing op shop. Council agrees with the justification and supports the variation.</p>	
13.1.2	The proposed parking provision for mixed use developments must be supported by a parking and traffic study.	<p>As the proposed community hall is ancillary to the seniors housing, no parking for community hall is required.</p> <p>As stated above, the applicant has adequately justified that on-street car parking can accommodate the parking demand of the op-shop and neighbourhood shop. Council agrees with the justification and supports the variation.</p>	Yes
Calculation of parking requirements			
13.1.7	Where the amount of parking required is not a whole number, the number of spaces required will be rounded up to the nearest whole number. For example, where the car parking requirement has been calculated as 9.3 spaces, the required number of spaces is 10 spaces.	Noted. The visitor car parking requirement has been rounded up from 33.71 to 34.	Yes
13.1.9	Parking requirements for staff / employees refers to the maximum number of employees or staff, including manager/owner/directors, on the site at any one time during peak operating period, with provision for overlap where shifts are involved	No full-time employees will be on-site in connection with the residential component. Landscaping and maintenance staff will attend on an as-required	Yes

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
		basis. There is sufficient visitor car parking spaces to accommodate this. Neighbourhood and op-shop discussed above.	
13.1.11	Bicycle parking and storage/facilities may be required where not indicated in the table below and above the numerical requirement indicated in the table below. This will be assessed on merit.	Bicycle racks are proposed.	Yes
13.2 Access and design			
13.2.1	The minimum dimensions required for a single car space are: Length x width a. 5.5m x 2.6m - open car space b. 5.5m x 2.9m - car space abuts one wall c. 5.5m x 3.1m - car space enclosed both sides by buildings or walls d. 6.1m x 2.5m - parallel parking The above dimensions are based on an access aisle width of 7.0m. For each 0.4m reduction in the aisle width, there must be a 0.1m increase in the car space width. The dimensions for car parking spaces for people with a disability must be in accordance with relevant Australian Standards.	The dimensions of the proposed car parking spaces meet the requirements of this clause.	Yes
13.2.2	The maximum allowable longitudinal grade and cross fall for an open car parking space is 5% and 6.25% respectively. A longitudinal grade and cross fall of 3% is recommended for a car space for people with a disability	The design of the car parking spaces meet the requirements of this control.	Yes
Footpath crossing location			
13.2.10	Crossings must be located so as not to interfere with existing public utility infrastructure. A driveway must be at least 500mm from drainage structures and 2m from a street tree. Where a street tree or drainage structure is to be relocated or modified, all costs will be borne by the developer	The location of the crossings proposed do not interfere with any significant public utility infrastructure.	Yes
Maximum driveway grades – residential development			
13.2.11	Driveways must comply with Figures 13.1, 13.2, 13.3.	The proposed driveways comply with the cross sections, grades and length requirements of the figures.	Yes
Maximum driveway grades – stack parking on driveways			
13.2.12	The driveway grades for stack parking are to not exceed the requirements of the driveway grades for residential development identified in Figures 13.1, 13.2 and 13.3	Stack car parking spaces comply with the requirements.	Yes
Ingress & egress requirements			

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
13.2.26	The following development requires all vehicles to enter and exit the site in a forward direction from any part on the development site: <ul style="list-style-type: none"> a. multi dwelling housing comprising 4 units or more which share a common internal access driveway/road b. any development on a classified road c. any development which will utilise part or the full length of a battle-axe type driveway or access handle d. commercial developments e. industrial developments f. child care centre 	Entry and exit from all spaces can be undertaken in a forward direction.	Yes
13.2.27	To allow vehicles to enter and exit the site in a forward direction, driveway width must allow two cars to pass each other off the public road carriageway during entry and exit movements and the 85th percentile vehicle (equivalent of a medium-large sized family vehicle) must be able to manoeuvre onsite in an absolute maximum of three turns.	All vehicles are able to enter and exit the site in a forward direction.	Yes
13.2.28	Vehicular access to a site must be designed and located having regard to the size of vehicles likely to access the site, traffic volume on the roads serving the proposed development and the traffic volume generated by the proposed development	Vehicle access to the site and to the garages are appropriate.	Yes
Car park design & layout			
13.2.31	Vehicle parking must not have an adverse impact on the residents of adjoining sites in terms of noise, odour or run-off. Car parking areas: <ul style="list-style-type: none"> a. must be screened from nearby sensitive receiving environments b. stormwater from the car park must not flow directly into sensitive receiving environments. 	The location of car parking is considered reasonable.	Yes
Footpath & footpath crossing construction			
13.2.47	Driveway crossings must only be constructed by Council, or a Council approved contractor, at the developer's expense. Prior to works commencing, the applicant must apply and gain approval from Council for a Road Opening Permit under section 138 of the Roads Act 1993. An application fee will apply in accordance with Council's Fees and Charges.	Conditions are recommended in this regard.	Yes
13.2.48	Where altered, moved or damaged during construction, the footpath (including any concrete pathways, utility service pits and/or grates, kerb, gutter and any drainage pits) must be restored to their original condition prior to occupation of the development, at the developer's expense. In addition, redundant laybacks must be reinstated to the existing kerb profile prior to occupation of the development, at the developer's expense.	<p>Pedestrian footpaths are proposed around the perimeter of the site. Conditions with specifications are recommended.</p> <p>Conditions are recommended in relation to redundant laybacks to be</p>	Yes

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT

	Provisions	Proposed	Compliance
		reinstated with grass and kerb.	
13.2.51	A concrete footpath along the road frontage of the development site may be required in accordance with Council's Footpath Masterplan.	Pedestrian footpaths are proposed around the perimeter of the site. Conditions with specifications are recommended.	Yes
13.2.52	The footpath area from the boundary to the kerb must be turfed to Council's satisfaction and at the developer's expense.	Conditions are recommended in this regard.	Yes

CHAPTER 15 - WASTE MINIMISATION AND MANAGEMENT

15.1 Development types and waste

15.1.1 A Waste Management Plan (WMP) is to be submitted with development applications for demolition, construction and operational works.	A WMP has been submitted and generally aligns with the requirement of this Chapter.	Yes
Development that relies on on-street collection 15.1.3 a minimum of 1.5m of the subject land's legal property frontage must be provide day the kerb for storage of every 2 bins generated by the development for servicing.	Waste collection for the residential component is proposed on-site. Each dwelling is provided with sufficient area for the temporary storage of waste. Designated waste storage areas are proposed within the car parking area of each building. Warrigal Care staff will be responsible for transferring the bins to the on-site waste collection areas and returning the bins to the storage areas. Designated waste storage areas are proposed for the op-shop, neighbourhood shop and community hall. Waste generated by these uses will be collected by a Council general services on George Street. Conditions have been recommended by Councils Waste Officers with regard to collection from the internal road which have been included as part of the draft consent.	Yes

CHAPTER 17 – CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

Provisions	Proposed	Compliance
17.1 Lighting		
17.1.1 Lighting of all entrances/exits of buildings, car parks, access routes and pathways to encourage safety and passive surveillance.	A lighting plan did not accompany the application. Conditions are recommended in this regard and to ensure compliance with the specifications of the <i>SEPP (Housing) 2021</i> .	Conditioned.
17.1.2 Lighting type and distribution should be assessed to not produce glare and should eliminate any dark shadows and concealment areas particularly in parks, car parks and pathways.	See above.	Conditioned.

17.1.3	Lighting should be white lights (not yellow or orange) to enable users to identify a face from a 15m distance which will encourage safety	See above.	Conditioned.
17.1.4	Lighting should be white lights (not yellow or orange) to enable users to identify a face from a 15m distance which will encourage safety	See above.	Conditioned.
17.1.5	Use sensor lights on buildings to encourage user safety and illuminate potential offenders after dark.	See above.	Conditioned.
17.1.6	Incorporate additional lighting below awnings to adequately illuminate footpath areas.	See above.	Conditioned.
17.2 Fencing/Walls			
17.2.1	Fences and walls should not obstruct surveillance of communal or public areas, building entrances, pathways and footpath by the building's occupants.	Fencing enclosing private open space areas and along Benson Creek is shown on the architectural and landscape plan. The fencing design would not result in any obstruction of surveillance of any public areas, footpaths etc.	Yes
17.2.2	Graffiti management of fences and walls should be considered. Colours that need to be avoided include light colours (cream and white) and black as they reflect most aerosol colours and as they will attract graffiti. Large smooth surfaces should be avoided as they create a canvas-like surface.	Landscaping including shrubs are proposed in-front of buildings, fences and retaining wall to discourage graffiti. Palisade fencing along Benson Creek is proposed. This type of fencing minimises graffiti opportunities.	Yes
17.2.3	Large blank walls and fences may include green screening or dense hedges that will block access to the walls.	The combination of fencing design and landscaping is appropriate.	Yes
17.2.4	Where noise insulation is necessary, use window double-glazing rather than a solid fence with a height greater than 1 metre.	No noise attenuation measures are required.	N/A
17.2.5	Consider the fences/walls' construction materials.	Proposed fencing and retaining wall materials are appropriate.	Yes
17.3 Landscaping			
17.3.1	Street trees should not be dense trees and should have high canopies to allow for natural surveillance from buildings to roads and pedestrians.	The location and species of new street trees along George Street and Arcadia Street has been reviewed by Councils Landscape Officer and are supported.	Yes
17.3.2	Only small shrubs, ground cover plants and high canopy trees should be used in public places. The need for maintenance of these plants and trees should also be considered as overgrown trees and shrubs could limit surveillance creating a less inviting area which will increase the perception of fear in the area.	The mixture of trees, shrubs and ground cover plants is appropriate. Multiple windows are orientated to the public domain, internal roads and pedestrian paths for passive surveillance.	Yes
17.3.3	Large trees should not be planted next to buildings to limit access to the building as they may create a natural ladder and limit surveillance.	The tree species proposed near buildings are appropriate.	Yes
17.3.4	Select species having regard for their location and shape and size at maturity.	The proposed plant species are appropriate for their location. Where they are not appropriate,	Yes

		conditions of consent have been recommended.	
17.3.5	Planting within 5 metres of a pedestrian pathway should be lower than 1 metre or thin trunked with high canopy to encourage safety and surveillance.	The proposed species of trees within 5m of pedestrian pathways have appropriate canopy characteristics.	Yes
17.3.6	Trees within the car parks should be avoided as they may obstruct lighting, sight lines and passive surveillance from pedestrians and motorists. They may also create entrapment and concealment areas increasing the risk of crime.	The canopy characteristics of trees near car parking spaces are suitable. Conditions of consent are recommended to ensure that lighting is installed in accordance with the <i>SEPP (Housing) 2021</i> requirements.	Yes
17.3.7	Trees in the middle of sites should be avoided as they will obstruct sightlines and surveillance especially in parks and public spaces. With the exception of trees with high canopies which will not obstruct sight lines.	The species and location of trees throughout the development are appropriate.	Yes
17.3.8	Residential fences that are adjacent to public land, laneways or footpaths should be lined with small trees, hedges or other foliage to limit access which will minimise malicious damage to the fence.	Landscaping between Arcadia Street frontage and the ground floor apartments will limit access.	Yes
17.4 Dwelling, shop, office, community use, frontages			
17.4.1	Shop, office and other community-use fronts should ensure surveillance between themselves and the street/public domain by retaining clear sight lines and limiting promotional material on windows.	Large areas of glass are proposed on the op-shop and neighbourhood shop elevations to create an active interface with the domain. The main customer entrances to the premises are adjacent to the development pedestrian path network.	Yes
17.4.2	Avoid the use of solid roller shutters such as colorbond. If necessary, use open mesh grill, protective films, transparent roller shutters.	No solid roller shutters are proposed.	Yes
17.4.4	The interior of buildings should have visual connections to the street and routine activity.	Large areas of glass are proposed on the op-shop and neighbourhood shop elevations to create an active interface with the domain.	Yes
17.14 Communal Public Areas			
17.14.1	Communal areas should be well lit	A lighting plan did not accompany the application. Conditions are recommended to ensure communal areas are well lit and comply with the specifications of the <i>SEPP (Housing) 2021</i> .	Yes
17.14.2	Provide clear lines of sight	Communal public areas are well positioned, clear lines of sight will apartment balconies and windows providing passive surveillance opportunities.	Yes
17.14.3	Open style or transparent materials should be used on doors and/or walls of elevators/stairwells.	Floor to ceiling glass panels are proposed near common circulation areas and lifts.	Yes
17.14.4	Entries to elevators/stairwells and waiting areas should be closed to areas of active uses and visible from the building entry.	The location of the building entries are appropriate.	Yes

17.14.5	Locate seating in areas of active use	Seating areas are proposed within communal open spaces.	Yes
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CHAPTER 20 - LANDSCAPING			
Provision		Proposed	Compliance
20.1 Landscape documentation and implementation			
20.1.1	A detailed landscape plan must accompany the development application for all types of development. Concept plans are acceptable for Residential Subdivisions (Greenfields) with the lodgement of the development application.	The Landscape Plan was assessed by Council's Technical Landscape Officer and relevant conditions have been recommended.	Yes
20.2 Development types and landscaping			
20.2.1	Landscaping must take into account sight lines between motorists and pedestrians	Landscaping has taken into account sight lines.	Yes
20.2.2	Avoid the use of spiky plants, plants with fleshy fruits and trees that are known to limb drop near pedestrian areas, playgrounds, BBQ and litter areas.	The proposed plant species have been reviewed and are generally appropriate for the site characteristics.	Yes
20.2.3	Generally planting (screen planting or otherwise) must be sufficiently visually permeable to achieve passive surveillance. Full, as opposed to partial screening will only be permitted where privacy concerns override passive surveillance. This maybe the case with private open space for dwellings adjoining the street.	The mix of trees, shrubs and groundcovers are appropriate for the proposed locations.	Yes
20.2.4	Planting selections should reinforce and not obstruct visibility to views and vistas both within the site and from significant viewpoints when they reach maturity.	The location and type of plant species proposed are appropriate from visibility perspectives.	Yes
20.3 Remnant Vegetation and Wetlands			
20.3.1	Controlled Activity Approval must be obtained from the NSW Office of Water under the <i>Water Management Act 2000</i> for the development of a watercourse.	Concurrence and General Terms of Approval were issued on 10 August 2023 by the Department of Water in accordance with the <i>Water Management Act 2000</i> .	Yes
20.3.2	Documentation must support the application for the Controlled Activity Approval and should include a copy of the Soil and Water Management Plan and a catchment wide strategy to address the hydrological and water quality changes in all watercourses within the development.	The application was accompanied by a WSUD Treatment Plan.	Yes
20.3.4	A Riparian Management Plan and/or a Vegetation Management Plan is to be completed and submitted to Council with the	The application was accompanied by a Vegetation Management Plan including a planting schedule for the riparian corridor. Councils	Yes

	submission of the Riparian/Wetland Landscape plans.	Environment Team support the documents. Conditions of consent to ensure the VMP is implemented are included in the draft consent.	
20.5 Retaining Walls			
20.5.1	Garden beds with a grade less than a 1 in10 must be retained by the use of either masonry, rock or treated timber sleepers.	The design is appropriate.	Yes
20.5.2	Retaining walls which exceed 600mm in height must be designed by a practising Structural Engineer and require approval from Council.	Standard conditions of consent to ensure compliance have been included.	Conditioned
20.5.3	Foundations, drainage lines and aggregate must be solely placed within the property boundary	Standard conditions of consent are recommended.	Conditioned
20.5.4	Details of all retaining walls must be illustrated on the landscape plan.	All retaining walls are shown on the civil plans, landscape plan and architectural plans.	Yes
20.6 Services			
20.6.1	Landscape design must take into account the location of services and utilities including water, sewer, electricity, gas, telecommunications and stormwater services these services must be indicated on the landscape plan in order to assess correct plant placement.	The landscape design has taken into consideration the location of services such as stormwater drainage.	Yes
20.7 Street Trees			
20.7.1	All developments may be required to supply and install street trees.	Currently there are no existing street trees on Arcadia Street and George Street. The Landscape Plan includes the planting of two (2) new street trees on George Street and seven (7) Arcadia Street. Council's Landscape Officer has reviewed the proposed street tree planting and has raised no concerns subject to the imposition of conditions relating to species.	Yes
20.8 Existing trees/vegetation and development			
20.8.1	The landscape plan must provide notes on how existing trees and remnant vegetation will be protected during the construction period for all developments.	The proposal seeks the removal of 30 trees and re-location of two (2). None of the trees proposed to be removed are identified as remnant vegetation. Standard conditions to ensure the protection of trees located within the riparian corridor to be retained have been imposed.	Yes

20.8.2	Footings of all developments must be built to accommodate root growth.	The location and species of the new trees to be planted are suitable with sufficient room to accommodate root growth.	Yes
20.8.3	Arborist report may be required to be submitted.	An Arboricultural Impact Assessment accompanied the development application.	Yes

CHAPTER 23 - CUTTING, FILLING AND RETAINING WALLS

Provisions		Proposed	Compliance
23.1 Structural and easements			
23.1.1	The maximum depth of excavation on any portion of the allotment is 1m. Excavated areas may only exceed 1m where the retained sections are located within the confines of the external walls of the building.	A bulk earthworks plan has been submitted. The areas of excavation exceeding 1m are confined to the location of Building A basement.	Yes
23.1.2	The maximum depth of filling on any portion of the allotment is 1m.	A bulk earthworks plan has been submitted. The depth of fill exceeds 1m in isolated areas due to changes in the natural ground level. The subject site is not level and earthworks are required to ensure that access within the site and to the public domain achieves the accessibility requirements under the relevant Australian Standard in accordance with the <i>SEPP (Housing) 2021</i> . Overall, the depth of fill is not considered unreasonable and will not result in adverse impacts to the adjoining properties.	No. The variation is supported in this instance given the site characteristics and accessibility requirements.
23.1 Stabilisation			
23.1.3	The maximum grade of cut or rill where there is not a retaining wall or other method of stabilising cut or fill is 45 degrees, 1:1.	Conditions to ensure compliance with this requirement are recommended in this regard.	Conditioned
23.1.4	Excavation or filling requiring retention must be shored or retained immediately to protect neighbouring development and land form from loss of support to prevent soil erosion.	Conditions to ensure compliance with this requirement are recommended in this regard.	Conditioned
23.1.5	Retaining walls, or other method of stabilisation, required as part of the development to control potential land stability and/or the structural integrity of adjoining properties	Conditions to ensure compliance with this requirement are recommended in this regard.	Conditioned

	must be completed prior to occupation of the development.		
23.1 Structural Integrity			
23.1.6	Retaining wall which exceed 600mm in height must be designed by a structural engineer.	Conditions to ensure compliance with this requirement are recommended in this regard.	Conditioned
23.1.7	Construction of retaining walls and associated drainage work along common boundaries must not compromise the structural integrity of any existing retaining wall or structures.	Conditions to ensure compliance with this requirement are recommended in this regard	Conditioned
23.1.8	Where in the opinion of Council retaining walls are required as part of a subdivision, detailed plans including materials, must be lodged with the development application.	No subdivision is proposed.	N/A
23.2 Visual			
23.2.1	Retaining walls that are visible to the street or public area must not exceed 1m in height.	No retaining walls exceeding 1m are visible to public areas.	Yes
23.2.2	The height of a retaining wall is the vertical distance between the top of the wall and finished ground level on the lower side of the retaining wall.	Noted. The height of the proposed retaining wall has been calculated in accordance with this control.	N/A
23.2.3	Retaining walls that are visible to the street or public area must be designed using materials that do not detract from the streetscape and development, with a minimum setback from the boundary fence and another retaining wall by at least 1m.	Retaining walls that are located along Arcadia Street are suitably located to be utilised as landscape beds.	Yes
23.4 Design/cut and fill			
23.4.1	Development should minimise changes to the natural landform of the site. Cut and fill should be minimised by siting the development across the contours, by split level design, elevated slab with deck rather than fill, use of landscaped terraces or batters or small stepped retaining walls rather than a single large retaining wall.	The subject site covers a large area with the existing surface levels varying. The submitted bulk earthwork plans illustrate the depth of excavation and fill proposed to accommodate the development. The proposed development including the earthworks are considered a suitable response to the characteristics of the site. The design achieves the accessibility requirements in relation to within the site and to the public domain as prescribed in <i>SEPP (Housing) 2021</i> .	Yes

CHAPTER 24 – FLOODPLAIN RISK MANAGEMENT		
Provision	Proposed	Compliance
<p>Objectives</p> <ol style="list-style-type: none"> 1. Minimise the potential impact of development and other activity upon waterway corridors. 2. Increase public awareness of the hazard and extent of land affected by all potential floods, including floods greater than the 100 year average recurrence interval (ARI) flood such as the Probable Maximum Flood (PMF) and to ensure essential services and land uses are planned in recognition of all potential floods. 3. Inform the community of Council's Plan for the use and development of flood prone land. 4. Reduce the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods. 5. Provide detailed controls for the assessment of applications lodged in accordance with the EP&A Act on land affected by potential floods. 6. Provide guidelines, for the use and development of land subject to all potential floods in the floodplain, which reflect the probability of the flood occurring and the potential hazard within different areas. 7. Apply a "merit-based approach" to all development decisions which take account of social, economic and ecological as well as flooding considerations. 8. To control development and activity within each of the individual floodplains within the LGA having regard to the characteristics and level of information available for each of the floodplains. 9. Deal equitably and consistently with applications for development on land affected by potential floods, in accordance with the principles contained in the Floodplain 	<p>The subject site is identified as being affected by flood hazard within the Elliott Lake – Little Lake Floodplain Risk Management Study and Plan. No residential related buildings are located in the high flood hazard. In accordance with the DCP, a seniors housing development falls under the Critical Utilities and Uses land use categories in Table 9.2. The prescribed flood planning levels for the Critical Utilities and Uses land use category is the PMF plus 0.5m freeboard. Table A9.2 of the DCP does not differentiate between the various types of seniors housing. As the type of land use being limited to low care version of Seniors Housing - Independent Living Units (ILU's) rather than a higher care Residential Care Facility, strict numerical compliance with the additional 0.5m freeboard above the PMF level is not required.</p> <p>The flood affectation of the residential buildings in the 1% AEP events is confined to limited areas. All buildings including residential apartments achieve the finished floor level requirements for the 1% AEP event. The majority of the subject site is affected in the PMF event. Basement A is protected from water inundation in the PMF event by a driveway crest above the PMF level. All habitable floor in Building A are at or above the PMF level, hence, the habitable floor in Building A can be used as safe refuge during the PMF event. For the residents in Buildings B-F, adequately sized and located areas to function as safe refuge at or above the PMF level are available for the ground floor residents. The PMF flood refuge areas require residents to walk up approximately five (5) steps. Additional room would be available in the sitting rooms on the upper levels.</p>	<p>The proposal does not numerically comply with the flooding planning requirements for the Critical Utilities and Uses land category for a seniors housing development. However, as discussed throughout the report all residential apartments have compliant 1% AEP event finished floor levels and PMF refuge areas are proposed in appropriate locations.</p> <p>Overall, it is considered to be appropriately designed in relation to the flood risk, flood water behaviour and intended residents.</p> <p>The proposal is considered to satisfy the objectives of the control subject to the imposition of the recommended conditions of consent.</p>

<p>Development Manual as amended, issued by the NSW Government.</p> <p>10. Restore / rehabilitate the riparian zone by returning as far as practicable the vegetation, geomorphic structure, hydrology and water quality of the original (pre European) condition of the stream.</p> <p>11. Integrate the management of riparian land with floodplain risk management by assuming the riparian land is fully vegetated when developing flood models for analysis of flood risk.</p>	<p>As the proposal is for independent living units for seniors as prescribed under the <i>SEPP (Housing) 2021</i> a restriction on title to ensure the residents comply with the definition has been imposed as a condition of consent. The Statement of Environmental Effects states that Warrigal Care undertakes initial assessments of prospective residents to determine if the resident is able to operate independently in a residential unit. Ongoing reviews of the residents needs by Warrigal Care staff to determine the ongoing suitability of the resident in an independent living unit or if their needs require entry into a residential care home.</p> <p>It is noted that the existing residential care facility and single storey senior independent living dwellings have finished floor level below the PMF event and do not have safe refuge areas. The re-development of the site for the continued purpose of seniors housing provides an opportunity to address this issue.</p> <p>The proposal has been reviewed by Council's flood engineer who has advised that the proposal would be consistent with the objectives of this clause.</p>	
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CHAPTER 25 – STORMWATER MANAGEMENT		
Provision	Proposed	Compliance
<p>25.1</p> <p>The associated Appendix 10 outlines background and technical information necessary to assist in the preparation of development applications so that it addresses:</p> <p>a. ecologically sustainable development</p> <p>b. methods to improve water quality of receiving waters</p> <p>c. ways to minimise adverse impacts on existing public infrastructure can be incorporated into the design of development proposals.</p>	<p>The stormwater drainage plan proposes an on-site detention basin and adequate collection and disposal methods. Councils Engineer has reviewed the submitted Stormwater Plans against the requirements of Appendix 10 and has raised no objections, subject to the imposition of the recommended conditions of consent.</p>	<p>Yes</p>

CHAPTER 29 – SOCIAL IMPACT ASSESSMENT		
Provisions	Proposed	Compliance

<p>29.1 Appendix 12 details Council's process for SIA and the development that requires this type of environmental assessment. It includes roles and responsibilities for SIA and information to assist applicants in the preparation of a SIA.</p>	<p>The development application was accompanied by a Level 2 Social Impact Assessment (SIA). The SIA utilised the methodology in accordance with the Social Impact Assessment Toolkit contained in Appendix 12.</p> <p>Warrigal Care sought feedback from people currently living at the subject site, Warrigal Village Choices Register, and Warrigal's New Community Design Standard which captures customer's feedback.</p> <p>Overall, no significant impacts were identified as a result of the development.</p>	<p>Yes</p>
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