

Attachment 6 – External & Internal Referral Response Table

1. EXTERNAL REFERRALS

The application, and subsequent revisions, was referred to External Agencies for comment. The following table details the Agency and their final comments in relation to the proposed development.

External Agency	Reason for Referral	Response
NSW RFS	Subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes (<i>Rural Fires Act 1997</i>).	The application was referred to the NSW RFS who issued their General Terms of Approval (GTAs) on 28 February 2024.
Water NSW	Site located within the Sydney Drinking Water Catchment	The application was referred to Water NSW who issued concurrence on 11 March 2024.

2. INTERNAL REFERRALS

The application, and subsequent revisions, was referred to a number of Council departments for comment. The following table details the department and their final comments in relation to the proposed development.

Internal Department	Response
Transport and Traffic Engineer	<p>The parking provided is acceptable in accordance with the SEPP requirements stated in the Traffic Impact Assessment. The turning paths provided show that the spaces and aisle widths are adequate.</p> <p>I agree that the increase in traffic generated by the development will not have a significant impact on the surrounding network. The traffic generated in the peak time is low and will be distributed through different intersections onto Bowral Road.</p> <p>It is stated that a private contractor will collect the refuse from the street front. Does this mean that 98 potential bins will be collected on the kerb side at once?</p>
Water and Sewer Development Engineer	The application was referred to Council's Water and Sewer Development Engineers who raised no objection subject to the imposing of conditions.

Development Engineer	<p>I have reviewed the amended information and have the following comments:</p> <ul style="list-style-type: none"> • The applicant has changed the layout of stormwater pipe within the site as per the suggestion of arborist to avoid structural root zones. This change does not affect the overall performance of stormwater drainage. This is satisfactory. • The applicant has updated the Traffic and Parking Assessment to reflect the 73 car spaces from 61 car spaces following the architectural plans. This is satisfactory. • The heritage advisor has raised concerns about the protection of Chalybeate Spring, specifically regarding the potential seepage of groundwater from the spring compromising its heritage value during the excavation. Consequently, the applicant has submitted a report suggesting mitigation measures to manage groundwater to address this. This is satisfactory. A condition relating to Groundwater Management has been included in the engineering conditions to be satisfied during construction phase.
Accredited Certifiers	Approval of the subject development should be supported subject to the recommendations listed in the BCA (NCC) and Access Reports. This can be done at CC stage.
Council Ecology Consultant	ELA is generally satisfied that the DA has submitted sufficient information to assess the impact to ecology from the proposed development. ELA recommends that Council consider the following ecology conditions.
Council Tree Officer	<p>I have reviewed the above plans and documents associated with the above DA for proposed affordable rental housing apartments. This application is being determined by Southern Regional Planning Panel. I also note Konrad Grinlaubs, Consultant Ecologist referral response dated 29 July 2024. The following response is to be read in addition to Konrad's comments.</p> <p>Proposed Tree Impacts:</p> <p>The arboricultural impact assessment (AIA) (ver 7 dated 12 July 2024) provides updated commentary on seventy-six (76) trees. Existing trees and vegetation consist mainly of exotic species with several Eucalyptus trees located on site and on Council verge on Rainbow Road. Many of the mature site trees are wholly located within the proposed building footprint while others are located on the periphery of the site. The AIA provides estimates on the extent of encroachment the proposed development footprint poses on peripheral trees. The AIA identifies twenty-four (24) trees that can be retained with suitable tree protection during all stages of</p>

	<p>construction, however eighteen of these trees are located off site, therefore only six (6) site trees are recommended for retention.</p> <p>The following is a summary of the AIA findings and recommendations:</p> <ul style="list-style-type: none">• Five (5) trees are recommended to be removed irrespective of development due to poor health/structure;• Forty-seven (47) site trees are proposed to be removed, including two neighbouring trees;• Twenty-four (24) trees to be retained, Eighteen (18) of which are located outside of the site on neighbouring property or Council verge;• Accordingly, the AIA recommends six (6) sites trees be retained. <p>My assessment of the information provided, finds that retention of an additional eight (8) site trees is achievable within the context of the proposed building footprint providing there are suitable tree protection measures in place during construction. Using the AIA's tree numbering, Trees 11, 12, 13, 15, 47, 53, 54, and 65 are retainable in addition to AIA recommended tree retention.</p> <p>Additional site trees to be retained by species:</p> <p>11 Magnolia grandiflora Bull Bay</p> <p>12 Liquidamber styraciflua Sweet Gum</p> <p>13 Acer palmatum Japanese Maple</p> <p>15 Quercus rubra Red Oak</p> <p>47 Cupressus macrocarpa Golden Cypress</p> <p>53 Betula nigra River Birch</p> <p>54 Cupressus sempervirens 'Stricta' Pencil Pine</p> <p>65 Populus alba White Poplar</p> <p>Existing street trees will be directly impacted by the proposed development owing to a requirement for concrete footpath to service the site. The impact of footpath works and less than optimal health and structure of the existing trees will necessitate removal of the street trees. The site frontage can accommodate five (5) trees on 15metre centres. The developer can opt to undertake the plantings and along with other soft landscaping eg. turfing for the general beautification of the frontage or contribute to the Council the equivalent of \$1500. per tree.</p> <p>Proposed Landscaping:</p>
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	<p>The reviewed landscape plan is not consistent with the AIA in respect to trees recommended to be retained. Eg. Tree 31. The planting schedule can be improved by including a similar palette of species of those removed and native Eucalyptus varieties must be derived from the dominant local vegetation, Southern Highlands Sandstone Peppermint Forest. Stock container size must increase to minimum 75ltr for all tree species.</p> <p>An amended landscape plan must ensure design consistency with relevant plans including, architectural, engineering plans and AIA recommendations for tree retention and tree protection measures. The plan must also include construction notes relevant to landscape industry standards for deep soil, soil preparation, nursery stock selection, planting specifications and maintenance. The plan must also include detailed planting schedule, accurately keyed to the plan.</p>
Council Heritage Consultant	<p>It is noted that there have been no further design changes to the proposed development to address the heritage issues previously raised, in which the proposal was not supported on heritage grounds owing principally to the unacceptable and adverse visual and physical impacts on the adjoining heritage item.</p> <p>As the heritage issues previously raised remain unresolved, the proposal is not considered to satisfy the objectives and requirements of clause 5.10 of the <i>Wingecarribee LEP 2010</i> and does not demonstrate satisfactory consistency with the heritage provisions of the <i>Mittagong DCP</i>.</p>