

4 March 2020

Lisa Kennedy
Planner – Southern Region
Department of Planning, Industry and Environment
PO Box 5475
Wollongong NSW 2520.

Dear Ms. Kennedy,

RE: SITE COMPATIBILITY CERTIFICATION APPLICATION (SCC_2019_KIAMA_001_00) – 2 CALIOPE STREET, KIAMA – RESPONSE TO REQUEST FOR INFORMATION (RFI).

This letter provides a response to the matters raised by the Department of Planning, Industry and Environment (DPIE) on 16 January 2020, in relation to the Site Compatibility Certificate (SCC) application for 2 Caliope Street, Kiama (SCC_2019_KIAMA_001_00). The letter should be read in conjunction with:

- The revised Site Compatibility Certificate (SCC) report (dated 4 March 2020)
- Updated Appendix 4 (Vegetation Community Assessment); Appendix 6 (Agreement with South Coast Home Health Care Services); Appendix 8 (Supplementary Bushfire report); Appendix 10 (Accessibility Report); and Appendix 11 (Letter from Medclinic Kiama).

MATTERS RAISED BY DPIE

1. Definition of serviced self-care housing

“The updated application should adequately demonstrate that the proposal is for serviced self-care housing and meets the definition described in the SEPP. The Southern Panel recently refused a SCC application which did not meet the requirements of Clause 17(1) of the SEPP”.

Response: Clause 13 (3) of the SEPP defines ‘serviced self-care housing’ as “seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care”. The proposed development will operate as a serviced-self-care housing facility. **Appendix 6** contains a copy of a signed agreement with South Coast Home Health Care Pty Ltd for the provision of care services at the proposed development including meal preparation, cleaning, personal care and nursing services that will be available to residents on site. The SCC report has been updated to provide further commentary on the relevant SEPP provisions to demonstrate that the proposal is for ‘serviced self-care housing’.

“The updated application includes a new letter for the provision of medical services in Kiama Downs. The transport agreement is to provide access to Kiama Town Centre. Clarification is sought on how residents are able to access the medical services”.

Response: A new letter from Medclinic Kiama (located at 143 Terralong Steet, Kiama, inside Kiama Shopping Village), has now been provided at Appendix 11. Future residents will be able to access this medical service via the proposed private bus service (operated by Ledale Pty Ltd/as Cantys Bus Rentals) which is scheduled to travel between the site and Kiama Shopping Village.

“It is noted that the Agreement for the provision of care services has not been updated. It is dated 26 January 2015 and the fees are current until 2020”.

Response: An updated services agreement (dated 4 September 2019) is now contained at Appendix 6. The fees provided are current until 1 July 2020 and remain valid.

2. Community and Development Lots

“The updated application proposes a community lot of 995.18m² for local passive recreation and a development lot of 8,086.7m² containing the APZ to protect the future dwellings from potential bushfire risks. APP’s letter of 5 July 2019 confirmed that the communal lot will become an asset of the community association once the development is approved, whilst the development lot is to be retained in the applicant’s ownership and maintained at the applicant’s cost. Confirmation is sought on the intent of removing the APZ lands from the community land, on the long-term management of the proposed development lot and on the long-term management of the APZ”

Response: As detailed in the supplementary bushfire report, the previously approved SCC site layout was amended to identify a separate community lot and development lot. The community lot will provide local passive recreation opportunities for future residents and is intended to become an asset of the community association following approval of the development. The development lot will fully contain the eastern APZ and will be owned by the community association but managed by the applicant.

To clarify the intended future use of the development lot (to accommodate the eastern APZ for the proposed senior’s development), the description of this lot has been amended throughout the SCC report to now be referred to as the ‘APZ Lot’.

3. Bushfire

“The Supplementary Bushfire Information (20 November 2019) states the ‘report should be considered supplementary to any previous reporting submitted for the proposed development and information for the NSW Rural Fire Service’. Copies of the previous reports should also be included in the updated application”.

Response: All relevant reports have been attached to Appendix 8 in the updated application.

“The Vegetation Community Assessment of Bushfire Hazard (Nov 2019) identifies that the subject property is located in bushfire prone land. A map of bushfire prone land on the site, Lot 17 and adjoining lands should be included in the updated application”.

Response: A bushfire prone land map has now been included within the updated application.

4. Dry Stone Walls

“Confirmation of the location of the dry-stone walls is sought. The map of the dry-stone walls contained in the Supporting Information for the Site Compatibility Certificate Report (July 2019) has not been included in the documentation for the updated application. The map should be included in the updated application”.

Response: The site contains a number of partially intact dry-stone walls. These are mainly within the vegetated areas to the east of the site (on land that is not subject to the SCC application). A dry-stone wall is also located along the southern site boundary. A map identifying the dry-stone walls has been included in the updated application.

“Details on the impacts of the proposal including bushfire management controls (including 2m high solid boundary fence, fire trail and cleared area) on the southern dry-stone wall should be included in the updated application”.

Land adjoining the southern dry-stone wall is proposed to be maintained for bushfire compliance for residential lots 5,6 and 15 and will contain the fire trail and 2-metre-high solid fence. No dry-stone walls are proposed to be removed and/or altered as part of this. The following commentary is provided:

- The proposal provides a 4-metre-wide fire trail which extends towards the southern boundary. A 1 metre wide cleared strip will be provided on both sides of the trail. The fire trail will not result in the removal or alteration of the dry-stone wall in this location.
- The placement of the fence can be managed to ensure negligible impact to the dry-stone wall is achieved. For e.g. the fence may be placed in front of the dry-stone wall or in proximity to it.

The SCC report has been revised to address this, however, it should be noted that this is a matter for consideration at the DA stage.

5. Vegetation Clearing

“The updated application and supporting document, Vegetation Community Assessment of Bushfire Hazard (Nov 2019), identifies that 0.18ha of vegetation clearing is required to establish the APZ. Previously 0.47ha of vegetation clearing was identified in the Supporting information for Site Compatibility Certificate Report (July 2019). This area was also identified on an aerial photograph of the site and on the Proposed Bushfire Protection Compliance plan (13/6/2019). Confirmation is required on the proposed area of vegetation clearing. This area should also be identified on an aerial photograph and site plan”

Response: The 0.47ha of vegetation referred to in the previous report was based on a broader study area. Following a site visit undertaken by Unlimited Habitats (to ground-truth the vegetation), it was identified that only 0.18ha of vegetation (woody weeds, kikuyu and wattle species) would require clearance and routine maintenance to accommodate the APZ. An aerial photograph identifying this area is provided within the revised application.

“The updated Vegetation Community Assessment of Bushfire Hazard (Nov 2019), identifies 137 Zieria granulata plants (threatened species) as occurring in the area to be cleared. The location of the Zieria plants should be included on an aerial photograph and site plan. Further details on how the Zieria plants are to be managed in the APZ should be provided. Clarification is sought on the distance of the buffer to be established around each plant – the assessment recommends both a 1.5m and 2.5m buffer”.

Response: As detailed within the Vegetation Community Assessment report, 137 stems of *Zieria Granulata* are located on the subject property. Whilst some specimens are located within the area to be cleared, vegetation removal is limited to 0.18ha of woody weeds, kikuyu and wattle species. All specimens of *Zieria Granulata* on the property will be retained and protected through measures that are consistent with recovery actions in the *Department of Environment and Conservation, (2005) Zieria granulata (Illawarra Zieria) Recovery Plan*. The *Zieria Granulata* will be managed by:

- Documenting the location of all specimens of *Zieria granulata* (Illawarra Zieria).
- Establishing a 2.5m buffer around all specimens of *Zieria granulata* (Illawarra Zieria).
- Removing weed species, negatively impacting on specimens of *Zieria granulata* (Illawarra Zieria),
- Utilising minimal disturbance bush regeneration methods. Weed species include: Large-leaved privet (*Ligustrum lucidum*), Lantana (*Lantana camara*), Blackberry (*Rubus fruticosus* sp. *Aggregate*); African olive (*Olea Africana*), African boxthorn

The SCC report has been updated to clarify the management of the *Zieria Granulata*. Appendix 4 has also been updated to identify the location of the *Zieria Granulata* on the site.

“The new Appendix 4 in the updated Vegetation Community Assessment of Bushfire Hazard (Nov 2019), directs the reader to refer to the attached Vegetation and Landscape Maintenance Report for Lot 17 DP1210621, 2 Caliope Street Kiama NSW September 2019. This report was not attached or submitted as part of the updated application”.

Response: The report was referred to in error. The Vegetation assessment contained at Appendix 4 has been revised to remove reference to this report.

“Confirmation is requested on the native vegetation clearing threshold for the development and whether the biodiversity offset scheme is triggered under the Biodiversity Conservation Act 2016”.

Response: The Biodiversity Conservation Regulation identifies the thresholds levels where the biodiversity offset scheme can be triggered and includes:

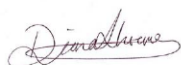
- Whether the amount of native vegetation being cleared exceeds an area threshold
- Whether the impacts occur on an area mapped on the Biodiversity Values MAP

Given the size of vegetation proposed to be removed (0.18ha), this will not trigger the area clearing threshold. The vegetation is also not contained on an area mapped on the Biodiversity Values Map. As such, the Biodiversity Offset Scheme will not be triggered on the site.

We trust that this letter satisfies the DPIEs requests for information. Should you have any further queries please do not hesitate to contact me on 0437 671 484 or diana.khoury@app.com.au.

Yours sincerely

APP CORPORATION PTY LIMITED



Diana Khoury
Urban Planner