


Cumberland Development Control Plan 2021		
Development Control	Compliance	Comment
Part B – Development in Residential Zones		
Land to which this Part applies <i>This Part applies to development types detailed within this Part within land zoned Residential under Cumberland Local Environmental Plan 2021.</i>	N/A	<p>It is noted that the Site is zoned R4 High Density Residential zone under CLEP2021. Notwithstanding, it is noted that the proposal relates to a health services facility and does not involve any residential development.</p> <p>Given that Part B of Cumberland Development Control Plan 2021 (CDCP2021) includes development controls for residential development, it is considered that the controls in this Part are not applicable to the proposed development.</p> <p>While the proposed health services facility is located within the Wentworthville residential area, it has been designed to preserve the amenity and privacy of the surrounding residential properties through the incorporation of high quality architectural treatment and adequate separation. As demonstrated in the Shadow Diagrams within the Architectural Plans (Appendix 3), the proposal will not result in any adverse overshadowing impacts on the adjoining residential properties and the Lytton Street Park.</p> <p>As such, the proposed development is considered to be appropriate in its context and will not result in any adverse impacts on the residential character of the locality.</p>
Part F4 – Special Precincts		
23-27 Lytton Street, Wentworthville		



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SSD-17899480 – Proposed Extension of Wentworthville Northside West Clinic
23-27 Lytton Street, Wentworthville (Lot 1 DP 787784)

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<p><u>Setbacks</u></p> <p>C1. Any new building on the property is to adhere to the following setbacks from the identified property boundary:</p> <ul style="list-style-type: none"> minimum of 6m setback from the front (street facing) property boundary. This setback; distance may be reduced in order to align the new building with an existing building on the property; minimum of 6m setback from the rear property boundary; minimum of 3m setback from the side property boundary; and minimum of 3m setback from the side and from the rear property boundaries to be applied to basement levels.  <p>Figure 1: Setbacks for 23-27 Lytton Street, Wentworthville (not to scale)</p>	YES	<p>The proposed development exhibits the following setbacks:</p> <ul style="list-style-type: none"> Eastern (front) boundary: Approximately 6m Western (rear) boundary: 0 to 6m Southern (side) boundary: Minimum 3.7m Northern (side) boundary: Approximately 1.9m (unchanged) <p>The proposed development is generally consistent with the setback requirements under CDCP2021. While the proposed development exhibits a western setback of 0 to 6m, this is due to the design requirements of the proposed car park and the irregular shape of the Site. Further, as demonstrated in the Landscape Plans (Appendix 6), an external courtyard will be provided in the south western portion of the Site. Therefore, the proposed setbacks are deemed appropriate for the development.</p>
<p><u>Side and Rear Setbacks</u></p> <p>C2. The land within the rear and side setback areas is to be used for landscaping (vegetation planting). This landscaping is to provide a level of</p>	YES	<p>The proposal has been designed to incorporate generous landscaping. Particularly, a landscaped open</p>



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<i>privacy from, and to provide a visual interruption to, the building when viewed from either the adjacent open space areas or the residential properties to the north and south.</i>		<p>space will be provided in the south western portion of the Site.</p> <p>As demonstrated in the Landscape Plans (Appendix 6) and Visual Impact Assessment (Appendix 5), adequate landscaping will be provided on Site to provide a level of privacy from the building and enhance the visual interest of the Site when viewed from the public domain. Additionally, the retention of high quality landscaping and existing mature trees would also alleviate the potential visual impacts associated with the development and preserve the amenity of the adjacent open space and the surrounding residential properties.</p>
<u>Landscaping</u> C3. A minimum of 25% of the site area is to be landscaped	Appropriate on merit	<p>The proposed development will provide a 1,211m² of landscape area, which accounts for 18.2% of the site area. While the proposed landscape area is below 25%, it is noted that the proposed landscape design has been articulated to provide a high quality landscaped open space comprising a basketball court, timber seating and feature planting, which will enhance the amenity of the ground floor plane and provide a communal space for outdoor recreation.</p> <p>Further, the proposed landscape design also exhibits a significant increase in landscape area and greatly improves the existing landscape treatment on the Site.</p> <p>In addition to the existing landscaping and mature trees being retained on Site, seven new trees will also be planted on Site, which will further enhance the visual interest of the Site and mitigate the potential visual impact on the adjacent open space and surrounding residential properties.</p>



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		Accordingly, the proposed landscape area is considered to be appropriate for the proposed development.
Part G – Miscellaneous Development Consents		
Part G3 – Traffic, Parking, Transport and Access (Vehicle)		
3. Parking rates <i>Development is to provide on-site parking in accordance with the following minimum rates. Refer to Table 1 below. Where a parking rate has not been specified in the table, the Guide to Traffic Generating Developments shall be used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking, subject to prior approval by Council. Additional parking objectives and controls are provided in Section 4 of this DCP.</i>	Appropriate on merit	<p>Part G3 of CDCP2013 does not provide car parking rates for rehabilitation centres or private hospitals. The DCP states that “where a parking rate has not been specified in the table, the Guide to Traffic Generating Developments shall be used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking, subject to prior approval by Council.”</p> <p>Application of the TfNSW Guide to Traffic Generating Developments results in a parking requirement of 102 carparking spaces. It is noted that the TfNSW parking rate is considered a generic state-wide rate that does not consider local conditions or the implementation of any sustainable travel initiatives, such as a green travel plan. As such, reference is made to the former Holroyd Development Control Plan DCP 2013 (HDCP2013), which historically provided parking rates for hospitals (rehabilitation centre) within the Wentworthville area.</p>



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		<p>In accordance with the parking requirements under HDCP2013, the proposed development is subject to the following parking requirements:</p> <ul style="list-style-type: none"> ▪ 1 space per 3 beds plus ▪ 1 per resident matron plus ▪ 1 per 2 employees and an ambulance bay <p>Based on the above, the proposed development will require 71 carparking spaces. A total of 77 carparking spaces will be provided on Site and hence is compliant with the carparking requirements under HDCP2013.</p> <p>The provision of 77 parking spaces is considered acceptable as the Site is well serviced by public transport including the Wentworthville train station and bus services. A Green Travel Plan will also be implemented to promote the use of alternative modes of transport. The proposed carparking provision is also consistent with SDRP comments dated 8 December 2021 regarding presenting a scheme that is not driven by parking.</p>
<p>4.8 Development within site specific and special/other precincts</p> <p><i>C1. This Part must be read in conjunction with Part F – Precinct and Site Specific Development Controls for development within designated site specific and special/other precinct locations contained in the Cumberland DCP 2021.</i></p> <p><i>C2. Where there is an inconsistency between this Part and any site specific controls as indicated in Part F, the controls contained in Part F will take precedent.</i></p>	YES	<p>Noted. As demonstrated above, the proposed development is generally consistent with Part F4 of CDCP2021.</p>
4.9 Electric vehicle charging points	Appropriate on merit	<p>The proposal does not include electric charging points. Notwithstanding, a Green Travel Plan will be</p>



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<p><i>C1. Electric circuitry to accommodate 'Level 2' electric vehicle charging points is encouraged, where possible, in off-street car parking of new residential and nonresidential development to ensure that 100% of car spaces can install electric vehicle charging points in the future. This should include:</i></p> <ul style="list-style-type: none"> <i>• ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system; and</i> <i>• providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space.</i> <p><i>C2. The installation of a 'Level 2' electric vehicle charging point is encouraged for all new residential and non-residential development (other than for dwelling houses, semidetached dwellings or dual occupancies).</i></p> <p><i>Note: 'Level 2' charging consisting of a single or three-phase power point with a power range of 7kW-22kW, as defined by the NSW Electric and Hybrid Vehicle Plan, Future Transport 2056 (21 January 2019). 'Level 2' electric vehicle charging provides a superior, faster and more stable charging option.</i></p>		implemented to promote alternative transport options and reduce reliance on the use private vehicles.
Part C4 – Stormwater and Drainage		
<p>2.2 Method of stormwater disposal from the site</p> <p><i>C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to:</i></p> <p><i>(a) a public drainage system, or</i> <i>(b) an inter-allotment drainage system, or</i> <i>(c) an on-site disposal system.</i></p>	YES	<p>A Stormwater Management Report and Plans have been prepared by Stellen Consulting and are provided at Appendix 9.</p> <p>The stormwater will be directed by a piped gravity drainage system to a public drainage system.</p>
<p>2.3 Application requirements for stormwater and drainage</p>	YES	A set of stormwater plans has been prepared by Stellen Consulting and is provided at Appendix 9 .



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<i>C2. All major development will require detailed stormwater plans designed by a qualified stormwater engineer or equivalent for lodgement.</i>		
<i>C3. Lodgement requirements for stormwater and drainage shall be in accordance with Council's Development Application checklists and Development Application Guide for Lodgement.</i>	YES	The proposed stormwater and drainage are in accordance with Council's requirements.
2.4 Types of stormwater systems <u>General</u> <i>C1. Discharge into the kerb and gutter shall be permitted if the discharge from the site does not exceed 30L/s. Only one discharge line shall be permitted within the footpaths per development. Unless specifically approved otherwise by Council, multiple pipelines within the footpaths shall not be permitted.</i> <i>C2. Where the outlet pipe from the property exceeds 100mm in diameter, a converter pit is to be constructed inside the front boundary of the property. Flows between the converter pit and the kerb and gutter shall be discharged using a galvanised steel rectangular hollow section.</i> <i>C3. Roof and surface stormwater shall be collected within the property to be discharged into Council's stormwater system or water course without impacting the nature of receiving Body.</i> <i>C4. Stormwater runoff from major and minor storm events is to be controlled within the property prior to it being discharged into Council's stormwater system.</i> <i>C5. Overland flow through the property shall be maintained without impacting adjacent and downstream properties.</i> <i>C6. Stormwater runoff shall be controlled and water quality improved where required.</i>	YES	<p>A Stormwater Management Report and Plans have been prepared by Stellen Consulting and are provided at Appendix 9.</p> <p>Further details of the proposed stormwater management system are provided in Section 6.15 of the EIS.</p>



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<p><u>Connection to Council, Sydney Water underground drainage systems or water course</u></p> <p><i>C1. Where an adequate Council drainage line is available, connection into the system shall be permissible by means of an existing pit or constructing a new pit to Council's specifications.</i></p>	YES	<p>The Site is currently burdened by an existing stormwater drainage easement containing a 600mm diameter pipe which conveys stormwater from Lytton Street to a Sydney Water drainage channel at the rear of the Site. The development proposed relocation of the existing easement and drainage pipe to the southern boundary of the Site.</p> <p>Further details of the proposed stormwater management system are provided in Section 6.15 of the EIS.</p>
<p><u>Design</u></p> <p><i>C1. The permissible site detention (PSD) and site storage requirements (SSR) shall comply with the Upper Parramatta River Catchment Trust requirements.</i></p> <p><i>C2. Alternative values for the required storage volume can be considered for larger sites greater than 3000sqm if the applicant demonstrates to Council's satisfaction using appropriate computer modelling that the relevant PSD shall be satisfied.</i></p> <p><i>C3. Stormwater runoff from all new roof areas shall be routed through the OSD facility. Runoff entering the site from upstream and adjoining properties shall be directed bypassing the on-site detention system.</i></p>	YES	<p>A Stormwater Management Report and Plans have been prepared by Stellen Consulting and are provided at Appendix 9.</p> <p>Further details of the proposed stormwater management system are provided in Section 6.15 of the EIS.</p>
<p>2.5 Technical Details of stormwater and drainage systems</p> <p><u>Overland Flow Paths</u></p> <p><i>C1. Designated overland flow paths are to be provided within the development in case of pipe blockage or major storm events to direct runoff to receiving body without impacting the development or other properties.</i></p>	YES	<p>As demonstrated in the Flood Impact Study (Appendix 12), the Site is impacted by flooding during the 1% AEP flood event, with 1% AEP floodwater levels within the range of 22.20 m AHD to 19 m AHD, resulting in partial inundation of the Site. Inundation depths vary greatly by location.</p>



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<p><i>C2. Provision shall be made to ensure runoff up to the 100 year ARI (minor system including overflows from roof gutters), is safely conveyed within formal or informal overland flow paths to the receiving body.</i></p> <p><i>C3. Where it is not practicable to provide paths for overland flows, the piped drainage system shall be sized to accept runoff up to the 100 year ARI with the blockage factor.</i></p> <p><i>C4. Development shall not cause flooding of adjoining properties.</i></p> <p><i>C5. Runoff currently entering the site from upstream properties shall not be obstructed from flowing onto the site and shall not be redirected so as to increase the quantity or concentration of surface runoff entering adjoining properties.</i></p> <p><i>C6. Where a site includes either an existing or a proposed overland flow path, register a restriction on use of land and a positive covenant on the title of the subject property. The covenant should require that the overland flow path on the site:</i></p> <ul style="list-style-type: none"> ▪ not be altered; and ▪ be maintained in good working order. <p><i>C7. Where the overland flow rates are high, the requirements outlined in Council's Flood Risk Management Policy on flood risk management will need to be satisfied.</i></p>		<p>The proposed entrance lobby at the southern face of the existing building, which is simple change of existing building, has recorded a peak flood level of RL 19.25 m AHD. Based on Council's DCP requirements, the minimum floor level at the lobby can be maintained at the current level of RL 19.25 m AHD as it will be impractical to raise the existing level.</p> <p>The proposed building within southern end of the Site is unaffected by flooding as the floodwater is confined within the driveway area between the proposed and the existing buildings.</p> <p>The crest provided at RL 20.35 m AHD at the top of driveway ramp leading to the proposed western undercover car park has prevented from an ingress of floodwaters from level above. The floodwaters running along the northern side of the carpark continues to its westerly flow towards the Finlayson reserve without impacting the proposed carpark area. A low gully line will be provided along the rear car parking bays as indicated below with the kerb replaced with bollards next to the parking bay to allow for floodwater to flow through unhindered.</p> <p>Further details are provided in Section 6.16 of the EIS.</p>
<p><u>Water quality</u></p> <p><i>C1. All development shall seek to achieve the stormwater quality targets set out in Table 5.</i></p>	YES	<p>The MUSIC model results (show that the proposed Water Quality Management Strategy provides a reduction in post-development loads of Total Suspended Solids, Total Phosphorous, Total Nitrogen and Gross Pollutants that meet Council's pollution reduction targets of 80%, 45%, 45% and 70% respectively.</p>



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<p><i>Table 5: Stormwater quality targets</i></p> <table> <tr> <th colspan="3">Stormwater quality targets</th></tr> <tr> <th>Pollutant</th><th>Description</th><th>Reduction in Load</th></tr> <tr> <td>Litter e.g cans, bottles, wrapping materials, food scraps</td><td>All anthropogenic materials with a minimum dimension >5mm</td><td>90%</td></tr> <tr> <td>Coarse sediment</td><td>Coarse sand and soil particles (<0.5mm diameter)</td><td>85%</td></tr> <tr> <td>Nutrients</td><td>Total phosphorous nitrogen</td><td>60%</td></tr> <tr> <td>Fine particles</td><td>Coarse sand and soil particles (<0.05mm diameter)</td><td>85%</td></tr> <tr> <td>Cooking oil and grease</td><td>Free floating oils that do not emulsify aqueous solutions</td><td>90%</td></tr> <tr> <td>Hydrocarbons inc. motor fuels, oils and greases</td><td>Anthropogenic hydrocarbons that can be emulsified</td><td>90%</td></tr> </table>	Stormwater quality targets			Pollutant	Description	Reduction in Load	Litter e.g cans, bottles, wrapping materials, food scraps	All anthropogenic materials with a minimum dimension >5mm	90%	Coarse sediment	Coarse sand and soil particles (<0.5mm diameter)	85%	Nutrients	Total phosphorous nitrogen	60%	Fine particles	Coarse sand and soil particles (<0.05mm diameter)	85%	Cooking oil and grease	Free floating oils that do not emulsify aqueous solutions	90%	Hydrocarbons inc. motor fuels, oils and greases	Anthropogenic hydrocarbons that can be emulsified	90%		
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<p><u>Easements to drain water</u></p> <p><i>C1. Council shall require the creation of an easement in its favour, at the cost of the applicant, over all pipelines in which council has an interest, such as pipes which transfer runoff from a public land. With both new easements and existing easements, the conditions below shall apply.</i></p> <p><i>C2. The required width of the easement shall be a minimum of 1.2m for pipes less than 300mm. The required width for pipes greater than 300mm diameter is to be a minimum of the width of the conduit plus 2m. The width of the easement shall be rounded up to the nearest 100mm.</i></p> <p><i>C3. Only pavement and landscaped areas shall be permitted over Council easements without impeding any overland flow.</i></p> <p><i>C4. The construction of a demountable carport spanning the easement can be considered. If approved it shall be necessary for the owner to enter a deed of agreement with Council to remove the structure at the owner's</i></p>	YES	<p>The proposed drainage easement will be located along the southern boundary in favour of Council.</p> <p>The proposed easement will be located within the Site boundary.</p> <p>The Site is currently burdened by an existing stormwater drainage easement containing a 600mm diameter pipe which conveys stormwater from Lytton Street to a Sydney Water drainage channel at the rear of the Site. The development proposed relocation of the existing easement and drainage pipe to the southern boundary of the Site.</p> <p>Further details of the proposed drainage easement are provided in the Stormwater Management Report and Plans at Appendix 9.</p>																								



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<p><i>expense if access to the easement is required. Any such approvals shall not extinguish or limit Council's rights under the easement.</i></p> <p><i>C5. Eaves, suspended patios or pedestrian bridges shall not be permitted.</i></p> <p><i>C6. Where no easement exists over a stormwater line in which Council has an interest, or the existing easement is undersized, Council shall generally require the creation of such an easement as a condition of development consent. All setbacks shall account for the future presence of an easement.</i></p>		
<p>2.6 Flood Risk Management</p> <p><u>General</u></p> <p><i>C1. The proposed development does not result in any increased risk to human life and does not increase the potential flood affectation on other development or properties.</i></p> <p><i>C2. The additional economic and social costs which may arise from damage to property from flooding is no greater than that which can reasonably be managed by the property owner and general community.</i></p> <p><i>C3. The proposal should only be permitted where effective warning time and reliable access is available for the evacuation of an area potentially affected by floods. Evacuation should be consistent with any relevant disaster plans (DISPLAN) or flood plan where in existence.</i></p> <p><i>C5. The proposal does not adversely impact upon the recreational, ecological, aesthetic or utilitarian use of the waterway corridors, and where possible, should provide for their enhancement, in accordance with ecologically sustainable development principles.</i></p> <p><i>C6. The proposal shall not have a significant detrimental impact on:</i></p> <ul style="list-style-type: none"> ▪ <i>water quality;</i> ▪ <i>native bushland vegetation;</i> ▪ <i>riparian vegetation;</i> ▪ <i>estuaries, wetlands, lakes or other water bodies;</i> ▪ <i>aquatic and terrestrial ecosystems;</i> ▪ <i>indigenous flora and fauna; or</i> ▪ <i>fluvial geomorphology.</i> 	YES	<p>A Flood Impact Study has been prepared by ACOR Consultants and is addressed in Section 6.16 of the EIS.</p> <p>The proposed development has been designed in accordance with Council's Flood Risk Management Policy and standard requirements.</p>



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<p>C8. The proposed development shall comply with Council's Flood Risk Management Policy.</p> <p>C9. Site specific flood studies shall comply with Council's standard requirements.</p>		
<p>2.7 Water Sensitive Urban Design, water quality and re-use</p> <p><u>Water Sensitive Urban Design (WSUD)</u></p> <p>C1. All development applications for sites of 2,500m², or more in area must be supported by a Water Sensitive Urban Design Strategy, prepared by a qualified civil engineer with suitable experience.</p> <p>C2. Development for the subdivision of sites of 2,500m² or more in area must achieve the stormwater flow targets in the Water Sensitive Urban Design Strategy, unless public water quality and flow structures downstream of the site allow these targets to be met. Details of compliance must be included in the Water Sensitive Urban Design Strategy supporting the development application.</p> <p>C3. All other developments shall provide appropriate water sensitive treatments.</p>	YES	<p>A Stormwater Management Report (Appendix 9) has been prepared by Stellen Consulting.</p> <p>A number of Water-sensitive urban design (WSUD) measures are proposed to manage runoff from the Site including:</p> <ul style="list-style-type: none"> ▪ Rainwater tanks with combined volume of 20kL connected to an outdoor irrigation system. ▪ A total of 4 off Ocean Protect Psorb cartridges (690mm) split into two pits. ▪ Ocean Protect pit baskets.
<p><u>Water Quality</u></p> <p>C4. Water quality devices are required to prevent pollutants from commercial, industrial developments and car parking areas entering the waterways in order to improve waterway health and to develop and maintain ecologically sustainable waterways.</p>	YES	<p>The following will be used to manage runoff from the Site:</p> <ul style="list-style-type: none"> ▪ Rainwater tanks with combined volume of 20kL connected to an outdoor irrigation system. ▪ A total of 4 off Ocean Protect Psorb cartridges (690mm) split into two pits. ▪ Ocean Protect pit baskets.
<p><u>Water Reuse</u></p>	YES	Clean rainwater collected from the non-trafficable areas will be harvested via charged or syphonic



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<p>C5. For all developments (excluding single dwellings and dual occupancies), rainwater tanks or a water reuse device shall be incorporated into the stormwater drainage system with a minimum storage size of 5,000 litres (for site area less than 1500m²) and 10,000 litres (for site area greater than 1500m²).</p> <p>C6. For dwelling houses (includes alterations and additions) exceeding 65% impervious area, a minimum capacity of 4,000 litres shall be provided, or that amount required by BASIX.</p>		<p>drainage systems through first flush devices prior to entry into the proposed 20m³ (total) rainwater storage tanks. The rainwater captured will be used in the outdoor irrigation system.</p> <p>In the event of overflow from rainwater harvesting tanks, the water will overflow via a piped gravity drainage system to the surface drainage system for collection.</p>
Part G5 – Sustainability, Biodiversity and Environmental Management		
<p>2.2 Surface Water</p> <p>C1. All developments that have the potential to impact on stormwater quality must be consistent with the principles of water-sensitive urban design (WSUD).</p> <p>C2. With respect to applications involving soil disturbance, the consent authority may request a management plan to be submitted detailing how surface water impacts will be managed in accordance with the NSW DEC's Managing Urban Stormwater series (2006). The specific type of plan will depend on the volume of soil disturbance that is proposed:</p> <ul style="list-style-type: none"> developments involving 250 – 2500m²: an erosion and sediment control plan (ESCP) must be provided, in accordance with NSW DEC's Managing urban stormwater – Soils and Construction Volume 1 (2006); developments involving >2500m²: a soil and water management plan (SWMP) must be provided, in accordance with NSW DEC's Managing Urban Stormwater – Soils and Construction Volume 1 (2006) 	YES	A Stormwater Management Report (Appendix 9) has been prepared by Stellen Consulting and is consistent with the principles of WSUD.
<p>2.3 Land Contamination</p> <p>C1. Prior to the submission of a development application, an assessment is to be made by the applicant under Clause 7 of SEPP No. 55 as to whether the subject land is contaminated prepared in accordance with the</p>	YES	A Preliminary Site Investigation (Appendix 18) and a Detailed Site Investigation (Appendix 19) have been prepared by JK Environments and are addressed in Section 6.19 of the EIS.



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<p><i>relevant Department of Planning, Industry and Environment Guidelines and the Guideline to Asbestos Management in Cumberland Council 2018.</i></p> <p><i>C2. In accordance with Clause 7 (1) of SEPP No. 55 Council will not consent to development unless it has considered whether land is contaminated, and if the land is contaminated is suitable for the proposed purpose or is satisfied that the land will be appropriately remediated. Where land is proposed to be subject to remediation, adequate documentation is to be submitted to Council supporting the categorisation</i></p> <p><i>C3. Development consent is required for remediation work in sensitive areas (Category 1 remediation works) under Clause 8 (2) of SEPP No. 55.</i></p> <p><i>C4. Development consent is not required for other remediation work (Category 2 remediation work) under Clause 8 (2) of SEPP No. 55. However, under Section 16 of the SEPP, notice is required to be given of the proposed work to Council before commencement of works.</i></p> <p><i>C5. Some activities that are likely to cause land contamination are shown in Table 1, as well as various types of Designated Development as outlined in Environmental Planning and Assessment Regulation 2000. For further information, refer to the Managing Land Contamination Planning Guidelines, Department of Urban Affairs and Planning and EPA, 1998.</i></p>		<p>A Remediation Action Plan (Appendix 33) has also been prepared and is addressed in Section 6.19 of the EIS.</p>
<p>2.5 Biodiversity</p> <p><i>C1. Development is to be sited and designed to minimise the impact on indigenous flora and fauna, including canopy trees and understorey vegetation, and on remnant native ground cover species.</i></p> <p><i>C3. New planting is to consist of species indigenous to the local vegetation community of the Cumberland Plain Woodland.</i></p> <p><i>C4. Select species that minimise water use and drought tolerant.</i></p>	YES	<p>A Biodiversity Development Assessment Report (BDAR) (Appendix 17) has been prepared by Eco Logical.</p> <p>One planted threatened species were identified within the study area; Eucalyptus nicholii (Narrow-leaved Black Peppermint), listed as vulnerable under both the Biodiversity Conservation Act 2016 (BC Act) and Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). This species does not naturally occur on the Cumberland Plain and is well outside its natural range. The Site also contains planted native</p>



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<i>C5. Preference is to be given to landscaping elements that provide/promote faunal habitat.</i>		<p>vegetation which includes feed tree species (Eucalyptus microcorys, Eucalyptus saligna, Corymbia citriodora and Lophostemon confertus) these species were considered foraging habitat for Pteropus poliocephalus (Grey-headed Flying-fox). Planted native vegetation (0.14 ha) also represents marginal foraging habitat for the Grey-headed Flying Fox. No breeding habitat (camps) would be affected.</p> <p>Two Matters of National Environmental Significance (MNES) were identified as having potential to be adversely affected by the proposed works. Pteropus poliocephalus (Grey-headed Flying-fox) is listed as Vulnerable under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and it is considered that this species is likely to use some of the development Site for foraging. Eucalyptus nicholii is also a MNES and will be impacted by the proposed works. Application of the Commonwealth Significant Impact Criteria was undertaken for the Grey-headed Flying-fox and Eucalyptus nicholii and the assessments concluded that the project is unlikely to have a significant impact on these species.</p> <p>Species credits are not required to offset the proposed impacts.</p> <p>Further details of the biodiversity assessment are provided in the BDAR and Section 6.11 of the EIS.</p>
2.6 Energy efficiency and renewables	YES	
<i>C4. Non-residential development Design heating/cooling systems to target only those spaces that require heating or cooling, not the whole building.</i>		An ESD Report (Appendix 7) has been prepared by JHA to identify and summarise the ESD initiatives that have



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<p><i>C5. Improve the efficiency of hot water systems through:</i></p> <ul style="list-style-type: none"> <i>• the use of solar powered hot water systems. Solar and heat pump systems must be eligible for at least 24 Renewable Energy Certificates (RECs) and domestic type gas systems must have a minimum 3.5 star energy efficiency rating;</i> <i>• insulating hot water systems; and</i> <i>• installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators.</i> <p><i>C6. Reduce reliance on artificial lighting and design lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building. Incorporate a timing system to automatically control the use of lighting throughout the building.</i></p> <p><i>C7. All non-residential development Class 5-9 will need to comply with the Building Code of Australia energy efficiency provisions.</i></p> <p><i>C8. An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme (or equivalent) must be provided for all commercial and industrial development with a construction cost of over \$5 million.</i></p>		<p>been considered in the design of the proposed development.</p> <p>This is further discussed in Section 6.6 of the EIS.</p>
Part G7 – Tree Management and Landscaping		
<p>2.1 Preservation of Trees</p> <p><i>C1. The following are not considered to be substantive criteria for tree removal:</i></p> <ul style="list-style-type: none"> <i>▪ flower, leaf or fruit fall causing nuisance;</i> <i>▪ to increase general natural light;</i> <i>▪ to enhance views;</i> <i>▪ to reduce shade created by a tree;</i> 	Noted.	Noted.



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<ul style="list-style-type: none"> tree not suiting existing or proposed landscape; unsubstantiated fear of tree failure; a tree being too large or high; and to increase direct sunlight onto solar panels or pool heating apparatus. 		
<p>2.2 Tree management and proposed development</p> <p><i>C1. All proposals and development works shall comply with Australian Standard 4970-2009 'Protection of Trees on Development Sites'.</i></p> <p><i>C2. Development shall be designed to incorporate existing trees that are identified as being suitable for retention, with adequate setbacks to any works and protection measures stipulated in accordance with AS 4970-2009 to ensure their long-term survival.</i></p> <p><i>C3. Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.</i></p> <p><i>C4. The location of vehicular driveways in relation to existing trees is to consider impact on, and distance from, that tree.</i></p> <p><i>C5. Development shall not impact trees on public land.</i></p> <p><i>C6. Trees assessed as having medium or high landscape significance retention value should be retained, with adequate setbacks to any development works to ensure their long-term survival.</i></p> <p><i>C7. Council may require an Arborist Report and/or Tree Protection Plan, to be prepared in accordance with Council's Submission Requirements for Consulting Arborists' Impact</i></p>	YES	<p>An Arboricultural Development Impact Assessment Report (Appendix 16) has been prepared to outline the health, condition and stability of the trees on Site and their viability for retention within the context of the proposed development.</p> <p>Based on the assessment, Tree 36 is in poor and declining condition with a short useful life expectancy. Tree 41 has a bark inclusion within the primary junction which places this tree at increased risk of failure at this point. In consideration of the future development and the increased number of targets and therefore increased hazard posed, it is recommended that a Level 2 (TRAQ) Risk Assessment be carried out on this tree to determine the level of risk and viability of the tree for retention.</p> <p>The Tree Protection Zones (TPZ) of Trees 3, 4, 5, 6, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 50 and 51 are encroached by the proposed construction and required earthworks by a total or major encroachment as defined by AS4970-2009 Protection of Trees on Development Sites. These trees will not be viable to be retained and will be required to be removed due to the proposed development.</p>



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<p><i>Assessment Report document, and submitted with development applications when any existing trees are to be retained.</i></p> <p><i>C8. Applicants should be aware of the requirements set out under Section 2.1- Preservation of Trees of this Part.</i></p> <p><i>C9. A development application must be lodged for tree and vegetation works in relation to a heritage item.</i></p>		<p>The TPZ of Tree 47 is encroached by the proposed construction and required earthworks by major encroachment as defined by AS4970-2009. These trees will not be viable to be retained based on this encroachment, however this tree is located on the adjacent property and is required to be protected. Further investigation by means of root mapping is required to determine the extent of root development within the area of the existing carpark at the line of the proposed building.</p> <p>The proposed building line will impact on the canopies of 41, 47, 48 and 49 and will require canopy reduction pruning of these trees. Trees 41, 48 and 49 will require less than 10% of the canopy to be reduced. Tree 41 will require canopy reduction of approximately 20% of the canopy. All canopy reduction is to be carried out in accordance with AS4373-2007 Pruning of Amenity Trees by qualified arborists with minimum AQF Level 3 qualifications under the Supervision and direction of the Site Arborist. Prior to pruning works and site-specific Pruning Specification is to be prepared.</p> <p>All other trees are viable to be retained and are to be protected.</p>
<p>2.3 Landscaping</p> <p><i>C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.</i></p>	YES	<p>A set of Landscape Plans and Landscape Strategy have been prepared by Arcadia and are provided in Appendix 6.</p> <p>Further details of the proposed landscape design are provided in Section 6.3 of the EIS.</p>



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<p><i>C2. For existing trees that are approved to be removed by Council as part of a proposed development, the following tree replacement offset planting is required:</i></p> <ul style="list-style-type: none">▪ <i>for existing trees removed that are a height of between 4m-9m, a 1:1 replacement offset applies; and</i>▪ <i>for existing trees removed that are a height greater than 10m, a 2:1 replacement offset applies.</i> <p><i>The preference is for offset planting to be undertaken on the property related to the development application. Any alternate locations are to be considered on merit by Council, with reference to applicable strategies and plans.</i></p> <p><i>C3. Tree species to be used for offset planting must be installed as minimum 45L container stock size and be of a species that is capable of reaching a height greater than 10m, given the proposed location and soil volume.</i></p> <p><i>C4. Landscaping shall be provided to enhance the streetscape and setting of development, incorporating a mix of trees, shrubs and ground covers planted appropriately and where necessary, providing essential screening or solar access roles.</i></p> <p><i>C5. Where trees are to be planted, consideration must be given to the species type, height and size of the tree at maturity and to the distance of the tree to any structure including stormwater pits and services such as overhead powerlines and underground pipework.</i></p>		
<p>2.4 Landscaping Specification</p> <p><i>C1. Proposed landscaping shall incorporate environmentally sustainable principles through species selection, minimal water usage, irrigation method schemes, and soil and mulch types.</i></p>	YES	The proposed landscaping design is illustrated in the Landscape Plans prepared by Arcadia. Further details of the proposed landscape design are provided in Appendix 6 and Section 6.3 of the EIS.



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<p><i>C2. Where land is affected or has high potential to be affected by salinity, proposed landscaping shall consider soil salinity through species selection and soil types.</i></p> <p><i>C3. Landscaping shall ensure that it is in keeping with the character of its locality, be aware of its function associated with the proposed land use, and the amenity of the site and streetscape.</i></p> <p><i>C4. All landscape works on structures including planter box and roof gardens shall provide the minimum soil depths as stated below:</i></p> <table><tr><th>Tree Size</th><th>Minimum Soil Depth</th></tr><tr><td>Small Trees (Canopy up to 5m)</td><td>800mm</td></tr><tr><td>Medium Trees (Canopy up to 10m)</td><td>1m</td></tr><tr><td>Large Tree (Canopy greater than 10m)</td><td>1.3m</td></tr></table>	Tree Size	Minimum Soil Depth	Small Trees (Canopy up to 5m)	800mm	Medium Trees (Canopy up to 10m)	1m	Large Tree (Canopy greater than 10m)	1.3m		
Tree Size	Minimum Soil Depth									
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<p>2.7 Construction</p> <p><u>During Construction</u></p> <p><i>C1. Council may require an independent consulting arborist (AQF Level 5) to supervise and certify all works adjacent to trees that are required to be retained.</i></p> <p><i>C2. A Tree Protection Zone (TPZ) must be established as per AS4970-2009 before the commencement of construction, for the protection of existing trees nominated for retention, and shall remain in place until the end of construction.</i></p> <p><i>C3. Unless specifically authorized by Council in writing by Council, no activities are permitted within the TPZ.</i></p>	YES	The proposed tree works will be supervised and certified by an AQF 5 consulting arborist.								



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<p><u>After Construction</u></p> <p>C4. Council requires all landscape areas to be maintained to a professional standard to ensure the successful establishment of new plants and the ongoing appeal of the development. Council may require the provision of a maintenance schedule</p>		
Part G8 – Waste Management		
<p>3.1 Demolition and construction</p> <p>C1. All materials that arise from demolition and construction shall comply with a Waste Management Plan (WMP) before recycling or disposal.</p> <p>C2. The WMP is a plan that provides Council with details of the following:</p> <ul style="list-style-type: none"> ▪ the volume and type of waste to be generated; ▪ how the waste is to be stored and treated on-site; ▪ how the waste is to be disposed of; and ▪ how ongoing waste management will function. <p>The applicant should also consider the following additional criteria when planning and undertaking demolition:</p> <ul style="list-style-type: none"> ▪ does the site require a contaminated land assessment? ▪ what type of waste is going to be produced from the site? ▪ is the waste to be produced hazardous (e.g. does it contain lead paint or asbestos)? ▪ will special arrangements need to be made for the removal and disposal of ▪ hazardous material and it will need to be separately handled and stored on-site? ▪ can packaging be reduced or recycled by: <ul style="list-style-type: none"> - returning packaging to the supplier? - seeking cardboard or metal drums instead of plastic? 	YES	<p>A Waste Management Plan (Appendix 27) has been prepared by MRA Consulting Group to address waste generation and storage associated to the excavation, construction and ongoing occupation of the proposed development.</p> <p>The volume and type of waste are outlined within the Waste Management Plan.</p> <p>Further details of the proposed waste management measures are addressed in Section 6.18 of the EIS.</p>



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<ul style="list-style-type: none"> - seeking metal straps rather than shrink wrap? - returning packaging such as delivery storage pallets and reels? 		

