

# Appendix NN

## Cumberland Council Meeting Minutes and Proponent Response

Topic	Council Comments	Response
<p><b>State Environmental Planning Policy (Housing) 2021</b></p> <p>Chapter 3 Diverse housing, Part 5 Housing for seniors and people with a disability</p>	<ul style="list-style-type: none"> <li>Any future SSDA shall demonstrate compliance with Chapter 3, Part 5 of the SEPP (Housing) 2021.</li> <li>Further design requirements and design principles will need to be addressed under Divisions 4, 5 of the SEPP (Housing) 2021.</li> <li>Division 7, Section 108 outlines the 'non-discretionary development standards for independent living units' which outlines landscaped area requirements, solar access to Further design requirements and design principles will need to be addressed under Divisions 4, 5 and 6 of the SEPP (Housing) 2021.</li> <li>Division 7, Section 108 outlines the 'non-discretionary development standards for independent living units' which outlines landscaped area requirements and solar access.</li> <li>Any SSDA lodged shall clearly demonstrate how the proposal achieves compliance with Section 93 - Location and access to facilities and services—independent living units and that the gradients will comply with 93(4) of the SEPP (Housing) 2021 if onsite facilities and services are not provided.</li> </ul>	<p>Please refer to assessment in Statutory Compliance Table provided at <b>Appendix D</b>.</p>
<p><b>State Environmental Planning Policy (Housing) 2021</b></p> <p>Chapter 4 Design of residential apartment development</p>	<ul style="list-style-type: none"> <li>Chapter 4, Section 144 of SEPP (Housing) 2021 states that the policy applies to a development for the purpose of a residential flat building if the building concerned is at least 3 or more storeys and contains at least 4 dwellings.</li> <li>The development incorporates six buildings with a total of 231 independent living units across seven buildings, ranging in height from 5-7 storeys and therefore this Chapter applies.</li> <li>The proposal has not been accompanied with a statement by a qualified designer prepared by a registered architect that verifies that the qualified designer designed, or directed the design of the, the development and that addressed the design quality principles and the objectives in parts 3 and 4 of the Apartment Design Guide (ADG). This statement shall be submitted with any SSDA lodged as required by section</li> </ul>	<p>Please refer to assessment in Statutory Compliance Table provided at <b>Appendix D</b>.</p> <p>Please refer to Housing SEPP Design Verification Statement provided at <b>Appendix LL</b> which provides an assessment of the proposal against the ADG.</p>

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	<p>29 of the Environmental Planning and Assessment Regulations 2021.</p> <ul style="list-style-type: none"> <li>Any future application shall also consider the ADG.</li> </ul>	
<p><b>State Environmental Planning Policy (Biodiversity and Conservation) 2021</b></p>	<ul style="list-style-type: none"> <li>Pursuant to the provisions any development is required to address Chapter 2 Vegetation in non-rural areas, Chapter 6 Water catchments and including any relevant Schedules.</li> </ul>	<p>Please refer to assessment in Statutory Compliance Table provided at <b>Appendix D</b>.</p>
<p><b>State Environmental Planning Policy (Industry and Employment) 2021</b></p>	<ul style="list-style-type: none"> <li>Should the development include any signage, such as building/business identification signage including directional signage, any future development application is required to provide an assessment of the signage against the provisions in Chapter 3 of this SEPP.</li> </ul>	<p>Please refer to <b>Section 4.7</b> of the EIS.</p>
<p><b>State Environmental Planning Policy (Resilience and Hazards) 2021</b></p>	<ul style="list-style-type: none"> <li>Pursuant to the provisions of Chapter 4 Remediation of Land any future development application is required to be accompanied by a Contamination Assessment prepared by a suitably qualified person. Council's Environmental Health Unit reviewed the pre-lodgement application. The Preliminary Site Investigation (Stage 1) report and Detailed Site Contamination Investigation (Stage 2) Report shall accompany the SSDA with respect of the suitability of the site for the development. Any recommendations in these reports that require a Remediation Action Plan and/or Site Audit Statement shall also be provided with any future application.</li> <li>These reports shall be prepared by a suitably qualified consultant in accordance with relevant EPA guidelines.</li> <li>Further details are provided below.</li> </ul>	<p>Please refer to assessment in Statutory Compliance Table provided at <b>Appendix D</b>.</p>
<p><b>State Environmental Planning Policy (Sustainable Buildings) 2022</b></p>	<ul style="list-style-type: none"> <li>Any future development application lodged after the commencement of this Policy is required to suitably address the provisions of Chapter 2 Standards for residential development and Chapter 3 Standards for non-residential development.</li> </ul>	<p>Please refer to assessment in Statutory Compliance Table provided at <b>Appendix D</b>.</p>
<p><b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b></p> <p>Chapter 2- Infrastructure</p>	<ul style="list-style-type: none"> <li>In accordance with Section 2.48 of the SEPP, the application may be required to be referred to the relevant electricity supply authority for comments. In this regard, the application would need to provide clarification with regard to aforementioned section and whether the development would trigger the need for such a referral.</li> </ul>	<p>Please refer to Infrastructure Requirements and Utilities Report in <b>Appendix Y</b>.</p>
<p><b>Cumberland Local Environmental Plan 2021 (CLEP 2021)</b></p>	<p><i>Permissibility</i></p> <ul style="list-style-type: none"> <li>The subject site is zoned RE2 Private Recreation pursuant to the provisions of the CLEP 2021. The proposed development comprises 'Senior's housing', 'Recreation facility outdoor', 'Registered club', 'subdivision</li> </ul>	<p>Please refer to assessment in Statutory Compliance Table provided at <b>Appendix D</b>.</p>

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	<p>of land', 'temporary display suite' and associated signage'.</p> <ul style="list-style-type: none"> <li>Any future application is to demonstrate permissibility and how the proposal (including the various uses) satisfy the objectives of the RE2 Private recreation zone under the CLEP 2021.</li> <li>As discussed, any future application shall demonstrate compliance with Clause 86 of the SEPP (Housing) 2021, particularly in respect to the location of the registered club not being on the same lot of land with all the seniors housing.</li> </ul> <p><i>Clause 2.6 Subdivision – consent requirements</i></p> <ul style="list-style-type: none"> <li>Any lot consolidation and land subdivision is subject to this clause.</li> </ul> <p><i>Clause 2.7 Demolition requires development consent</i></p> <ul style="list-style-type: none"> <li>Any demolition works are subject to this clause.</li> </ul> <p><i>Clause 4.3 Height of Buildings (HoB)</i></p> <ul style="list-style-type: none"> <li>There is no maximum HoB for the subject site. However, reference should be made to the SEPP (Housing) Clause 84-85 for further details.</li> </ul> <p><i>Clause 4.4 Floor Space Ratio (FSR)</i></p> <ul style="list-style-type: none"> <li>There is no maximum FSR for the subject site.</li> </ul> <p>Clause 5.10 Heritage Conservation</p> <ul style="list-style-type: none"> <li>The subject site has not been identified as a heritage item or within in a heritage conservation area.</li> </ul> <p><i>Clause 6.2 Earthworks</i></p> <ul style="list-style-type: none"> <li>Earthworks are proposed as part of the site remediation works and basement parking.</li> </ul> <p><i>Clause 6.4 Essential Services</i></p> <ul style="list-style-type: none"> <li>The provision of a substation has been marked on the architectural plans. Any future SSDA shall ensure the substation is marked on the plans and be investigated in consultation with the energy provider.</li> <li>Adequate arrangements must be made for suitable vehicular access and access for waste collection. Adequate arrangements must also be made for any relocation of the supply of water and/or the disposal and management of sewage.</li> </ul> <p><i>Clause 6.7 Stormwater Management</i></p> <ul style="list-style-type: none"> <li>Any future development application must satisfy the objectives of this clause. Refer to 'Stormwater Management' comments from Council's Senior Development Engineer below.</li> </ul> <p><i>Clause 6.12 Urban Heat</i></p> <ul style="list-style-type: none"> <li>Any future development application must satisfy the objectives of this clause. The façade and roof of the proposed building should be designed to reduce adverse effects of solar heat on the surrounding land.</li> </ul>	

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<b>Cumberland Development Control Plan 2021 (CDCP 2021)</b>	<p>The following parts of the CDCP 2021 are applicable and their respective objectives and controls and should be considered as part of any future SSDA:</p> <ul style="list-style-type: none"> <li>• Part A3 Site Amalgamation and Isolated Sites - The applicant shall consider site amalgamation provisions of the CDCP.</li> <li>• Part G1 Advertising and Signage (if applicable to the proposed works).</li> <li>• Part G3 Traffic, Parking, Transport and Access (Vehicles) - Refer to commentary under point 3 'Development engineering comments.</li> <li>• Part G4 Stormwater and Drainage. Refer to commentary under point 3 'Development engineering comments.</li> <li>• Part G5 Sustainability, Biodiversity and Environmental Management.</li> <li>• Part G7 Tree Management and Landscaping.</li> <li>• Part G8 Waste Management. Refer to commentary under point 7 'Resource Recovery'.</li> </ul>	<p>Please refer to assessment in Statutory Compliance Table provided at <b>Appendix D</b>.</p>
	<p>A detailed Plan of Management shall be provided for the various uses on site such as but not limited to the Registered club, function centre and café.</p>	<p>The Cumberland Country Club operates in accordance with an existing Plan of Management (<b>Appendix OO</b> of the EIS) dated 14 June 2023 and a NSW Liquor Licence. This Plan of Management sets out performance criteria for the operations of the licensed premises. This includes matters such as the capacity of the premises, patron behaviour and measures to ensure safety and amenity for all patrons, visitors, staff and neighbours. The Plan will continue to apply to the proposed new clubhouse, the upgraded golf course and related facilities eg club parking area.</p>
	<p>Consideration of the building separation of 'Building F' with the adjoining R2 low density residential zone. This separation should be in accordance with Objective 3F-1, Design criteria 1 of the ADG requirements and an additional 3 metres when adjacent to a different zone that permits lower density.</p>	<p>Please refer to Housing SEPP Design Verification Statement provided at <b>Appendix LL</b> which provides an assessment of the proposal against Objective 3F-1 of the ADG.</p>
<b>Tree Management</b>	<p>Council's Tree Management Officer has provided the following comments in relation to the proposal:</p> <p>The site, while undulating as is typical of a golf course, falls from East to West and South to North. The extended golf course is largely exotic managed grassland with some areas to the southern part of the site containing Cumberland Shale Plain Woodland.</p> <p>The following issues need to be addressed to meet Council DCP requirements:</p> <ul style="list-style-type: none"> <li>• Car Park Areas - Apply 1 tree for every 10 spaces - Screen carpark area from the street.</li> <li>• Tree removal - For existing trees that are approved to be removed by Council as part of</li> </ul>	<p>Noted and accepted.</p>

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	<p>a proposed development, the following tree replacement offset planting is required:</p> <ul style="list-style-type: none"> <li>- for existing trees removed that are a height of between 4m-9m, a 1:1 replacement offset applies; and</li> <li>- for existing trees removed that are a height greater than 10m, a 2:1 replacement offset applies.</li> <li>- Biodiversity of replanting and general planting design should be in accordance with Part G5 – Sustainability, Biodiversity and Environmental Management and also take into account the proposed use by seniors. Deciduous planting would be permissible in those areas where solar access is beneficial to residents as well as providing seasonal variation.</li> <li>- 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.</li> <li>- Reference to be made to Cumberland Council DCP Part G7 Tree Management and Landscaping for further details.</li> </ul> <p>Arboriculture, landscape and biodiversity have been assessed for the site and appear to meet most controls listed in the relevant Cumberland DCPs. The specific controls have been responded to for clarity.</p>	
<p><b>Landscaping</b></p>	<ul style="list-style-type: none"> <li>• The landscape plan should include: <ul style="list-style-type: none"> <li>- The species selection that are suitable for the site.</li> <li>- Appropriate planting techniques and plant selection/procurement.</li> <li>- There are no restrictions on adequate space for root development in this proposal apart from those areas located over slab. Soil depths are to be met to ensure the health and longevity of planting proposed on slab.</li> </ul> </li> </ul> <p>The species and location of proposed planting requirements will be dependent on a number of factors aiming to meet the requirements of the proposal, particularly as a golf course and for aged care.</p>	<p>Please refer to landscape drawings in <b>Appendix H.</b></p>
<p><b>Flooding</b></p>	<ul style="list-style-type: none"> <li>• i. Subject site is flood control lot. In this regard, flood advice letter shall be obtained from Council.</li> <li>• ii. Development shall comply with the flood advice letter and Council's Flood Risk Management Policy (CFRMP). Supporting documents shall be prepared in order to ensure that the development complies with the controls for flood risk precinct nominated in the Appendix (page 6) of the CFRMP.</li> <li>• iii. Site survey plan shall be submitted. Survey shall refer to Australian Height Datum(AHD).</li> </ul>	<p>Please refer to the Flood Impact Assessment in <b>Appendix RR</b> of the EIS, which has been updated to address these comments.</p> <p>A site survey is provided at <b>Appendix M.</b></p>

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	<ul style="list-style-type: none"> <li>• iv. The proposed development and subdivision will affect the above basin and Council's pipe. In this regard, details of the proposed modifications and supporting flood report, stormwater report, stormwater modelling, and flood modelling shall be submitted for assessment.</li> <li>• v. The proposed secondary entry in the Old Prospect Road is affected by flooding. The matter shall be addressed.</li> </ul>	
<b>Subdivision</b>	<ul style="list-style-type: none"> <li>• i. Subdivision stage shall provide the details of lot access. Public access shall be provided for each proposed lot.</li> <li>• ii. Details of the management and maintenance arrangement of the common roads within the site shall be provided.</li> <li>• iii. Necessary drainage and other service easements shall be created.</li> <li>• iv. Proposed development and subdivision conflicts with the existing easement. In this regard, copy of the dealings for easement 'A' shall be submitted for assessment.</li> <li>• v. Internal driveway width for the two-way access shall be minimum 5.5m. The design shall comply with Australian standard AS2890.1 requirements. In this regard easement carriage way widths shall be widened as required. If on street parking spaces are proposed, additional width shall be provided.</li> <li>• vi. As existing building located within proposed lots 2 and 3, easement for support or other appropriate easements shall be created.</li> </ul>	Please refer to <b>Section 3.10</b> and <b>Appendix AA</b> of EIS.
<b>Stormwater</b>	<ul style="list-style-type: none"> <li>• Flooding shall be taken into consideration, in the stormwater design. In this regard stormwater design shall be updated to address this matter. Stormwater runoff from the entire site shall be discharged by gravity system.</li> <li>• ii. The details shall be prepared by a suitably qualified hydraulic engineer and must be in accordance with Cumberland Council's DCP and Upper Parramatta River Catchment Trust "On-Site Detention Handbook". In this regard, <ul style="list-style-type: none"> <li>• a) OSD shall be located outside the building floor areas.</li> <li>• b) OSD calculations, cross section discharge control pit and cross section of the OSD tank shall be submitted.</li> </ul> </li> <li>• iii. Details sections and plans of the dry basin shall be submitted.</li> <li>• iv. The sandstone retaining wall is not acceptable in the dry basin. The retaining wall shall be designed as water retaining structure.</li> <li>• v. OSD and basin catchment areas shall be annotated on the plans.</li> </ul>	Please refer to updated Stormwater and Flood Management Report in <b>Appendix RR</b> of the EIS which addresses these comments.

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	<ul style="list-style-type: none"> <li>• vi. Part of the development drains to the existing dams within the site. In this regard, stormwater report shall verify the dam capacity is adequate for the flows from the development.</li> <li>• vii. Detail pipe longitudinal sections and hydraulic grade lines analysis shall be submitted.</li> <li>• viii. Overland flow from adjacent properties shall be maintained. Allowances shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site.</li> <li>• ix. Stormwater runoff from the manoeuvring area including access ways will have to undergo some form of industrial standard primary treatment/separation prior to disposal into existing stormwater systems. In this regard, stormwater treatment device capable of removing litter, oil, grease, and sediment shall be provided prior to discharge to the stormwater system.</li> <li>• x. Water quality targets set in the Council's DCP shall be achieved. MUSIC model and the output report shall be submitted.</li> </ul>	
<p><b>Traffic/Access</b></p>	<ul style="list-style-type: none"> <li>• i. Traffic and transport impact assessment report shall be submitted. The traffic impact assessment report shall address the impacts of the proposed developments. These should include, but not limited to, transport impacts on surrounding transport networks, queuing, parking, traffic generation, entry and exit.</li> <li>• ii. The Paroo Street / Old Prospect Road and Beresford Road / Old Prospect Road intersection performance shall also be analysed in the traffic report.</li> <li>• iii. The adequate parking spaces shall be provided for the club. Detail calculations shall be provided.</li> <li>• iv. Access driveway for the club access shall be designed to comply with Section 3.2 of the Australian standard AS2890.1.</li> <li>• v. Adequate queuing area shall be provided within the site at all the entrance driveways in accordance with Australian standard AS2890.1.</li> <li>• vi. Parking layout shall comply with Australian standard AS2890.1 and AS2890.6.</li> <li>• vii. Vehicles should enter and leave the site in a forward direction.</li> <li>• viii. Dimensions (parking space length and width, aisle width, parking space gradients, head height clearance, extensions at dead end aisles, etc.) shall be shown on the plan.</li> <li>• ix. Details of Construction staging, and access arrangements shall be considered in the development proposal.</li> <li>• i. Relocation of the driveway shall be discussed with the relevant bus operator and</li> </ul>	<p>Please refer to Transport Impact Assessment in <b>Appendix J</b> which addresses these comments.</p>

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	<p>the change shall be submitted to Council's Local Traffic Committee for consideration.</p>	
<p><b>Environmental Health Unit</b></p>	<ul style="list-style-type: none"> <li>• It is requested that an acoustic assessment be submitted to Council from a suitably qualified acoustic consultant with the proposal. The acoustic assessment must demonstrate that the development will comply with the NSW EPA's Noise Policy for Industry (NPfI) and any relevant noise requirements of Council's DCP. The report should give consideration to all noise impacts on any sensitive receivers in the vicinity of the proposed development that may be caused by the development including, but not limited to: <ul style="list-style-type: none"> <li>- mechanical plant.</li> <li>- vehicles entering and leaving the premises.</li> <li>- noise from communal spaces.</li> <li>- Demolition.</li> <li>- Construction.</li> <li>- Vibration.</li> </ul> </li> <li>• The report must also give recommendations where noise attenuation measures are required. Any acoustic privacy / noise intrusion issues on the development (as per SEPP requirements where applicable) along with any recommended actions.</li> <li>• ii. A site specific Noise Management Plan must be prepared and submitted to Council. The Plan must be prepared by a suitably qualified person who possesses the qualifications to be eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants – and must include noise generated from demolition, excavation, construction noise and vibration.</li> <li>• iii. A Preliminary Site Investigation (Stage 1) report shall be prepared to accompany the development application with respect of the suitability of the site for the development. The report shall be prepared by a suitably qualified consultant in accordance with relevant EPA guidelines.</li> <li>• Please be advised that depending on the findings of the Preliminary Site Investigation (Stage 1) report, it may be necessary to conduct further contamination investigations and furnish Council with more reports namely a Detailed Site Contamination Investigation (Stage 2) Report and/or Remediation Action Plan and/or Site Audit Statement.</li> <li>• iv. A Hazardous Materials Survey Report must be prepared by a certified Occupational Hygienist (Australia Institute of Occupational Hygienists) and submitted to the satisfaction of the Certifying Authority, with a copy provided to Council. The report must identify and record the type, location and extent of</li> </ul>	<p>Please refer to Noise and Vibration Assessment provided at <b>Appendix N.</b></p>

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	<p>any hazardous materials on the site and make recommendations as to their safe management and/or removal to ensure the site is made safe for demolition, construction and future use/occupation.</p> <ul style="list-style-type: none"> <li>• v. A sediment and erosion control plan must be submitted outlining control measures that will be implemented at the site for the duration of the construction of the development. The sediment and erosion plan must include preventative measures that will be put in place to protect Pendle Hill creek from any pollution during demolition and construction of the development.</li> <li>• vi. Should food be sold, plans demonstrating the internal layout of the proposed kitchen, where the proposed use of the kitchen includes the preparation and the handling of food for sale as defined by the Food Act will be required. The plans must demonstrate that the kitchen will be constructed in a manner that is fit for the intended use (ie a commercial kitchen). The kitchen must comply with the Food Act 2003, Food Regulations 2015, The Food Standards Code and AS 4764-2004 - Design, construction and fit out of food premises.</li> <li>• The following information will be required to be submitted with the kitchen plan; <ul style="list-style-type: none"> <li>- A floor plan to a suitable scale including but not limited to proposed walls, floors, ceilings, storage areas, fixtures, fittings and equipment.</li> <li>- Sectional elevation drawings to a suitable scale showing all fixtures, fittings and equipment and finishes to floors, walls and ceilings in all food preparation, all storage areas, waste storage areas and toilets used by food handlers.</li> <li>- Confirmation that all proposed internal walls are/ will be of solid construction.</li> <li>- Mechanical ventilation details for the kitchen exhaust and dishwasher exhaust (if applicable);</li> <li>- Australian Standard AS 1668 Part 1 - 1998.</li> <li>- Australian Standard AS 1668 Part 2 - 2012.</li> </ul> </li> <li>• vii. Indicate on the plans where waste area / rooms will be located. All waste areas will need to be connected to sewer and have a connection of hot and cold water available for cleaning - indicate that this is capable on the plans when full application is submitted.</li> <li>• viii. A Plan of Management is to be prepared by an appropriately qualified person. The plan shall demonstrate the management principles that will be implemented at the site Including but not limited to; accommodation, waste management, security, visitors, maintenance and cleaning, Noise, Use of communal areas, resident behaviour, complaints handling process/</li> </ul>	

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	<p>register (for residents and neighbours), management Policy.</p> <ul style="list-style-type: none"> <li>• ix. No details of potential regulated systems under the NSW Public Health Act and NSW Public Health Regulation have been provided. Clarification as to whether any water cooling or warm water systems (including thermostatic mixing vales) will be incorporated into the development shall be provided. Note: warm-water systems include thermostatic mixing valves.</li> <li>• x. Include on the plans the location of all mechanical plant so a determination can be made about the impacts plant may have on neighbouring properties.</li> </ul>	