



Amanda Treharne - 9710 0462
File Ref: DN17/0002

21 November 2017



Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Emma Butcher

Dear Sir/Madam

Development Referral No. DN17/0002

**Proposal: Modification to Concept Plan - Landscaping Amendments (MP
10_0229 MOD 5)**

**Property: 461 Captain Cook Drive, Woollooware, 475B Captain Cook Drive,
Woollooware, 475A Captain Cook Drive, Woollooware**

Thank you for the opportunity to respond to the most recent landscaping amendments to the Concept Plan MP10_02229 MOD 5. To date Council has made three submissions to the NSW Department of Planning and Environment (DPE) in response to the preceding amendments from the proponent. This submission effectively overrides those earlier submissions given that for the most part, the majority of Council's concerns with the modification have been addressed.

Flood Mitigation Works

Council and the proponent have largely resolved the necessary flood mitigation works to the tidal channel which will be delivered as part of the Stage 3 Residential development (DA16/1068). Department of Primary Industries (Fisheries and Water) has provided General Terms of Approval (GTA's) for the development. A report has now been prepared by Council officers for the determination of DA16/1068 by the Sydney South Planning Panel (SSPP) for later this month which recommends approval subject to conditions. Provided the proposed works are delivered in accordance with the conditions of consent, both in terms of scope and timing, a satisfactory environmental outcome will be achieved.

Part of the scope of works required with DA16/1068 is delivery of the landscape works in and / adjacent to the channel, including the high level bridge which will connect the Stage A1 and A2 foreshore areas with Stages B and C. The high level bridge is a critical element of the flood evacuation strategy for the entire residential precinct and must therefore be delivered as part of DA16/1068 (the last stage of the residential development).

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The bridge straddles both Stage A2 and Stage B as shown on the Concept Plan drawing L002 Rev R. More recent landscape plans prepared by the proponent which have recently been lodged with Council as part of the foreshore landscape development application show the bridge being constructed as part of Stage B. This is not satisfactory to Council and a reference to staging and delivery of the bridge should form a condition of the MOD 5 to ensure there is consistency between the documentation and the Stage 3 DA16/1068 approval.

Landscape Plans

As part of the assessment of DA16/1068 the proponent submitted a set of more detailed landscape plans for the area adjacent the channel and the Stage 3 development. The plans reflect the Concept Plan MOD 5 and the flood mitigation works to the channel. For the most part the plans are acceptable to Council and have been conditioned to form part of the Stage 3 approval. This would ensure that the landscape works adjacent to the channel are delivered as part of the Stage 3 development. The proponent has verbally agreed to this but determination of the application rests with the SSPP.

The landscape area adjacent the channel is only small compared to the extent of the wider foreshore landscape works. Matters which Council would like to see addressed in the Concept Landscape Plans or form conditions for these areas include the following:

Existing Trees

Existing trees to be retained or removed are not clearly identified on the plans although existing *Ficus hillii* trees are shown in Section B (Dwg No.LC11). This information should be provided at development application stage.

Lighting

As the proposed light poles along the shared pathway are not shown in Sections A and B (Dwg No. LC06) it is unclear whether they will comply with the AUSGRID height restrictions.

Shared Pathway

The following changes are required to make the shared pathway safe for both pedestrians and cyclists:

- Exposed aggregate paving (shown Dwg. No.LC05 as '09a') is considered unsuitable for the shared pathway. An alternative solution is a contrasting coloured concrete paving with a different texture or finish.
- In order to visually alert cyclists to slow down within the vicinity of the playground, the contrasting pavement should commence at the western boundary of the site and extend to the start of the shared pathway that ramps up to the bridge beyond the eastern end of the playground. Appropriate signage must be provided at both ends to warn cyclists that they are approaching a playground and to slow down. Signage should also be provided within the paving itself showing that pedestrians have right of way.

- For safety reasons the second entry point at the eastern end of the playground should be treated in a similar fashion to the main entry – that is, the gate should be indented and a circular area of paving in contrasting colour and texture to the shared pathway be provided to alert cyclists that children will be entering and leaving the playground.
- At both entries to the playground sightlines to the gates must be maintained for a distance of 5m minimum in both directions by selecting low shrubs and ground covers in these areas. Note that small trees can be planted within these zones as long as they are set behind the fence and the canopy is uplifted.
- At the top of the shared path where it meets the western end of the bridge, a platform must be provided to allow bicycles and pedestrians room to manoeuvre and change direction safely at the entrance to the bridge.
- The two timber viewing platforms on the shared path on the northern side of Family Hill (Stage B) should each be provided with seating to enable people to stop and rest.

Playground

A minimum of 75% of the freestanding seats within the playground should have summer shade.

The double timber shade shelter is large enough to accommodate two table settings and a BBQ.

All aspects of the playground will be required to be approved by Council with the following Concept Plan changes anticipated prior to development application stage:

- The entry gates must be lockable at all times.
- The perimeter fencing must be selected from Council's approved suite of fencing styles.
- The final type & supplier of play equipment, structures and furniture must be specified in consultation with Council. Note that Timber Creation products are not acceptable to Council.
- Provide more swing elements.
- Provide more shade over play equipment.
- All shade structures, shelters and pergolas must be constructed of materials that meet Council's and Ausgrid's requirements as well as the subsurface conditions. Timber posts are not acceptable.
- Provide an alternative surface to mulch such as synthetic grass.
- Provide an alternative stable paving material to decomposed granite in the Fairy Themed Garden and Walkway.
- Provide an alternative plant species in the Bamboo Archway.
- Relocate the freestanding seats within the playground to ensure that a minimum of 75% have summer shade.
- Provide more informal seating such as sandstone logs.
- Provide two table settings and a BBQ in the double shade shelter.

Fencing to foreshore revegetation area

West of the playground a 1200mm high open form fence to match the playground fence should be provided between the grassed area and the swale to protect the revegetation area to the north from damage by children, dogs and ball games. East of the playground and along the drainage channel a timber bollard and chain wire fence should be provided along the northern and eastern edge of the shared pathway. North of the stadium and Family Hill a 1200mm high open form fence to match the playground fence should be provided on the northern edge of the shared pathway to prevent pedestrians falling down the hill.

Vegetation

The Plant Schedule (and Appendix B of the VMP) should be amended as follows:

Saltmarsh Planting - Ground overs/climbers:

Delete *Zoysia macrantha*

Saltmarsh Planting – Rushes/grasses:

Delete *Gahnia clarkei*

Add *Ficinia nodosa*

Swale Planting – Rushes/grasses:

Delete *Juncus kraussii ssp australiensis*

Add *Gahnia clarkei* and *Juncus usitatus*

Upper Riparian Planting (Outside Easement) - Trees

Substitute *Banksia integrifolia* for *Banksia serrate*

Delete *Melaleuca linariifolia*

Upper Riparian Planting (Inside Easement) - Trees

Substitute *Cupaniopsis anacardioides* for *Melaleuca linariifolia*

Planting densities in the Salt Marsh must be at 6 plants per sqm, and the rushes and grasses in the Swale planting and Lower Riparian areas must be at 6 plants per sqm.

All landscaped areas must be provided with a water-efficient irrigation system, and taps at 25m centres, to enable effective landscape maintenance.

Summary

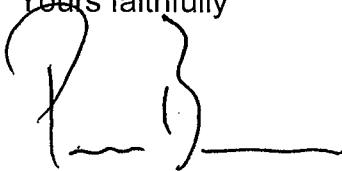
Overall, Council is supportive of the proposed foreshore landscape works, subject to some suggested minor refinements.

Council's key concern in its review of the proposed MOD has been to ensure that the documentation submitted is consistent with (albeit at a different level of detail) the works the applicant is seeking approval from Council as part of the Stage 3 Residential development (DA16/1068). As this has now been satisfactorily resolved in terms of the flood mitigation works to the channel and the associated landscaping, Council's concerns in this respect have been resolved.

Clarification regarding the extent of documentation and detail that will form part of the modified Concept Approval is sought. In the absence of further plans and information, Council requests to have its concerns addressed by conditions in the modified Concept Approval to ensure that the issues raised can be satisfactorily addressed at development application stage.

I trust the DPE will take into account the matters raised by the Council. If you need any clarification of the above comments, please contact Council's Development Assessment Officer Amanda Treharne on 9710 0462 or email atrehane@ssc.nsw.gov.au and quote the application number in the subject.

Yours faithfully

A handwritten signature in black ink, appearing to be 'P Barber', followed by a horizontal line.

Peter Barber
Director, Shire Planning