

## Secretary's Environmental Assessment Requirements

### Section 75W(3) of the *Environmental Planning and Assessment Act 1979*

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| <b>Application</b>          | MP 06_0094 MOD 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Project</b>              | Modification to the Concept Plan Approval for the Redevelopment of Sandon Point to permit standard residential lots (for townhouses) in place of seniors' housing on the Ocean View and Hilltop precincts of the ARV lands.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Location</b>             | Lots 2 and 3 in DP 1176767, Sandon Point                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Proponent</b>            | Anglicare                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Date issued</b>          | February 2018                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>General Requirements</b> | <p>The Modification Request must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary which includes a summary of the proposed changes, a rationale for the proposal and a conclusion based on the findings of the assessment;</li> <li>2. A site analysis, including site plans, aerial photographs and a description of the existing and surrounding environment;</li> <li>3. A background section covering the approval history of the site;</li> <li>4. A thorough description and numerical table of the proposed modifications, compared with the Concept Plan Approval;</li> <li>5. An assessment of the key issues (specified below) and a table outlining how those key issues have been addressed. This shall include a detailed assessment of the potential impacts of the proposal, particularly any additional impacts associated with the modification beyond those already assessed and approved;</li> <li>6. A description outlining how the potential impacts associated with the modification would be mitigated and managed, including any new or amended statement of commitments;</li> <li>7. The plans and documents (outlined below) clearly showing the proposed changes compared with the Concept Plan Approval;</li> <li>8. Details of any proposed changes to the Terms of Approval; and</li> <li>9. A conclusion justifying the proposed modification taking into consideration the environmental impacts of the proposal, the suitability of the site and whether it is in the public interest.</li> </ol> |
| <b>Key issues</b>           | <p>The modification request must address the following specific matters:</p> <ol style="list-style-type: none"> <li><b>1. Land Use Planning</b> <ul style="list-style-type: none"> <li>• Address the statutory provisions applying to the site and all relevant strategic planning objectives outlined in the documents listed at <b>Attachment A</b>.</li> </ul> </li> <li><b>2. Comparison with the Concept Plan Approval (MP 06_0094)</b> <ul style="list-style-type: none"> <li>• Demonstrate how the proposed modification can be assessed and determined within the scope of section 75W of the <i>Environmental Planning and Assessment Act 1979</i>, and in particular, address any environmental impacts beyond those already assessed for the Concept Plan Approval; and</li> <li>• Provide a comparative assessment (qualitative and quantitative) of the proposed modification against the Concept Plan Approval, and provide a clear rationale for the proposed amendments. This should particularly address the road network and vehicular connectivity, site coverage, character and scale.</li> </ul> </li> <li><b>3. Development Layout</b> <p>The modification request shall include details of the proposed subdivision layout, design and staging, which:</p> </li> </ol>                                                                                                                                                                                                                                                                  |

- demonstrates that the revised development will be wholly contained within the approved footprint, and there will be no encroachment on the Turpentine Forest;
- includes an indicative subdivision pattern responsive to the site conditions and constraints, including aspect, orientation, slope, drainage lines and vegetation;
- addresses the need for any filling of land and batters, and assesses any associated impacts on the adjacent Turpentine Forest and Aboriginal areas;
- demonstrates future development lots would be orientated to maximise solar access to future dwellings;
- maintains perimeter roads around development boundaries and appropriate buffer areas to riparian corridors;
- includes an indicative layout which can accommodate the revised built form, including adjustments to the internal road network;
- includes measures to minimise land use conflicts, including appropriate landscaping and buffer areas;
- addresses the relationship to surrounding areas, including visual impacts from public coastal locations;
- provides sufficient passive and active open space for the expected additional population and demographic;
- maintains permeability through the site and linkages/connections to the beach; and
- minimises potential for vehicle, bicycle and pedestrian conflicts.

#### **4. Built form**

- Provide an assessment of the proposed building envelopes with consideration of the proposed height, bulk and scale, massing, setbacks, building articulation, typologies and separation;
- Demonstrate that the proposed building envelopes would facilitate appropriate design within the site's setting; and
- Demonstrate the proposed building envelopes would achieve compliance with the approved maximum height, site coverage and FSR controls.

#### **5. Public Domain**

- Assess any changes to the public domain and landscaping design as a result of the proposal.

#### **6. Residential Amenity**

- Demonstrate future residential buildings would be capable of complying with SEPP 65 – Design Quality of Residential Apartment Development, and the Apartment Design Guide, including justification for any compliance(s)/non-compliance(s); and
- Demonstrate future Seniors' Living Development would be consistent with the requirements of SEPP (Housing for Seniors or People with a Disability) 2004.

#### **7. Visual Impacts**

- Provide a visual impact assessment and view analysis of the proposal from key view points and visual catchments, including a comparative analysis of the potential impacts of the approved concept plan against the proposed modification.

#### **8. Flora and Fauna**

- Assess any additional biodiversity impacts associated with the proposal, including any additional impacts on adjoining areas, in a Biodiversity Development Assessment Report in accordance with the *Biodiversity Conservation Act 2016* (NSW). Management and mitigation actions shall be developed to address any identified impacts of the proposal on biodiversity;

- Provide a Vegetation Management Plan for the riparian area and areas of vegetation to be retained outside of the development footprint area; and
- Provide a Landscape Concept Plan and Arborist Report in accordance with the Council's requirements.

#### **9. Bushfire**

- Demonstrate compliance with the relevant provisions of *Planning for Bushfire Protection 2006*.

#### **10. Flooding, Stormwater and Soils**

- Provide an assessment of any additional flood risks associated with the proposal in accordance with the NSW Floodplain Development Manual (2005), including consideration of the potential impacts of climate change;
- Provide a revised stormwater management concept plan which identifies any changes to the stormwater management concept arising from the proposed modification; and
- Assess any additional impacts of the proposal on surface and groundwater, and provide a detailed and consolidated site water balance.

#### **11. Contamination**

- Provide a revised Remediation Action Plan in accordance with SEPP 55 – Remediation of Land.

#### **12. European Heritage and Aboriginal Cultural Heritage**

Include a revised:

- Heritage Impact Assessment prepared in accordance with the NSW Heritage Manual which addresses the significance, and provides an assessment of, impacts on the heritage significance of heritage items, landscape features and vegetation on the site and items in the vicinity; and
- Aboriginal Cultural Heritage Assessment in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (DECCW, 2011), and *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW).

#### **13. Transport and Accessibility**

Include a revised transport and accessibility assessment prepared in accordance with the RMS' *Guide to Traffic Generating Developments* and the Austroads Guideline to Traffic Management, including the following:

- modelling of estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips;
- address any additional road/intersection upgrades to manage any additional traffic generated by the proposal;
- address whether the proposed road layout is capable of complying with the relevant standards taking into consideration the needs of all road users and appropriate facilities;
- address timing for the delivery of vehicular connectivity between Wrexham Road and Point Street, including the provision of a bridge over Tramway Creek, and address connectivity between the site and Beattie Avenue; and
- any required changes to pedestrian and cycle networks and access.

#### **14. Ecologically Sustainable Development (ESD)**

- Identify how best practice ESD principles would be incorporated into the development.

#### **15. Contributions**

- Address the need for any changes to contributions in accordance with the relevant Development Contributions Plan, or provide details of a planning

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|                            | <p>agreement for appropriate developer contributions in consultation with Wollongong City Council.</p> <p><b>16. Statement of Commitments</b></p> <ul style="list-style-type: none"> <li>The modification request shall include any new or modified Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the development.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Consultation</b>        | <p>During the preparation of the modification request, you are required to consult with the relevant local, State and Commonwealth Government authorities, and utilities service providers, including:</p> <ul style="list-style-type: none"> <li>Wollongong City Council;</li> <li>Office of Environment and Heritage;</li> <li>Environment Protection Authority;</li> <li>Department of Industry;</li> <li>NSW Office of Water;</li> <li>Transport for NSW;</li> <li>Roads and Maritime Services;</li> <li>Rail Corporation New South Wales;</li> <li>Rural Fire Service; and</li> <li>the relevant Local Aboriginal Land Council.</li> </ul> <p>You are encouraged to consult with the local community in the preparation of your modification request. This includes the Registered Aboriginal Parties (RAPs) which were consulted for the initial proposal, and Wollongong Council Neighbourhood Forum 3.</p> <p>The modification request must describe the consultation process and issues raised and identify where the design of the development has been amended in response to those issues. Where amendments have not been made to address an issue, a clear justification should be provided.</p> |
| <b>Plans and Documents</b> | <p>The modification request must include all relevant plans, architectural drawings, diagrams and relevant documentation, including:</p> <ul style="list-style-type: none"> <li>a table in the Environmental Assessment (EA) identifying the section of the EA where each component of the SEARs is addressed;</li> <li>locality/context plan and site analysis plan;</li> <li>site survey plan, showing existing levels, locations and heights of existing and adjacent structures/buildings to AHD;</li> <li>revised concept plan drawings, staging plan and photomontages clearly illustrating the proposed amendments compared with the Concept Plan Approval;</li> <li>changes to approval conditions (by the use of strikethrough and bold text);</li> <li>housing typology drawings;</li> <li>a table outlining any proposed changes to the conditions of the Concept Plan Approval; and</li> <li>geotechnical and structural report.</li> </ul>                                                                                                                                                                                                                                                       |

## ATTACHMENT A

### **Relevant EPIs, policies and guidelines to be addressed**

The modification request shall address the statutory provisions applying to the site contained in all relevant environmental planning instruments (EPIs), including:

- *Wollongong Local Environmental Plan 2009*;
- *Wollongong Development Control Plan 2009*;
- *State Environmental Planning Policy (State Significant Precincts) 2005*;
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*;
- *State Environmental Planning Policy No. 55 (Remediation of Land)*;
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development*;
- *State Environmental Planning Policy No. 71 – Coastal Protection*;
- *Illawarra-Shoalhaven Regional Plan*; and
- *Draft State Environmental Planning Policy (Coastal Management) 2016*.

The modification request shall also address relevant planning provisions, goals and strategic planning objectives in the following:

- NSW 2021;
- NSW Wetland Management Policy 2010;
- NSW State Rivers and Estuaries Policy 1993;
- NSW Office of Water, Guidelines for Riparian Corridors on Waterfront Land;
- Coastal Design Guidelines for NSW (2003);
- Draft Future Transport Strategy 2056;
- EIS Guidelines – Roads and Related Facilities;
- Standards Australia AS2890.3 (Bicycle Parking Facilities);
- RMS Guide to Traffic Generating Developments;
- Public Transport Service Planning Guidelines: Rural and Regional NSW (2015);
- Austroads Guidelines;
- NSW Bicycling Guidelines;
- NSW Planning Guidelines for Walking and Cycling;
- Cycling Aspects of Austroads Guides;
- Apartment Design Guide, Department of Planning and Environment;
- Crime Prevention Through Environmental Design (CPTED) Principles; and
- Healthy Urban Development Checklist, NSW Health.

## **ATTACHMENT B**

Government Authorities' and Councils' Responses to Request for Key Issues