



23 May 2018

Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Attention: Emma Butcher

Email: [emma.butcher@planning.nsw.gov.au](mailto:emma.butcher@planning.nsw.gov.au)

Dear Sir/Madam

**RE: Council response to OEH submission**

**Modification to concept plan approval  
Kirrawee Brick Pit Mixed-Use Development  
566-594 Princes Highway, Kirrawee (MP10\_0076 MOD 8)**

I refer to the approved concept plan for mixed use development of the Kirrawee brick pit (MP10\_0076) and the modification application (MOD 8), which proposes to remove the 'lake' from the concept plan.

Council submits this letter in response to the comments provided by the Office of Environment and Heritage (OEH) in relation to MOD 8 in its letter dated 13 April 2108.

Since that date, Council has consulted with OEH on the MOD 8 proposal. The consultation has resulted in a document (Attachment 1) being prepared jointly by Council and OEH, which records the correspondence between the two parties on the matters raised by OEH in its 13 April letter.

Council and OEH have reached an agreed position on the matters raised by OEH as summarised below:

**1. OEH issue: extent of *existing STIF* under MOD 3 compared to MOD 8**

Council response: Council has provided a plan labelled Fig 1 (Attachment 2) which demonstrates that the extent of existing STIF under MOD 8 is comparable to that under MOD 3.

The MOD 8 application provides existing STIF in two categories: 1434m<sup>2</sup> of STIF on original soils; and 832m<sup>2</sup> of STIF regenerating on quarry walls.

Subsequently, Council has deleted the boardwalk area in the south-western part of the site (see point 2 below). This means an additional 115m<sup>2</sup> of STIF on original soils is provided and results in 1,549m<sup>2</sup> of STIF on original soils being retained under MOD 8.

The total provision of existing STIF under MOD 8 is 2,381m<sup>2</sup> (1549m<sup>2</sup> STIF on original soils+ 832m<sup>2</sup> STIF regenerating on quarry walls), which marginally exceeds that under MOD 3 (2,378m<sup>2</sup>).

2. *OEH issue: Location of the 907m<sup>2</sup> **additional STIF** required by the MOD 3 approval*

Council response: The 907m<sup>2</sup> of STIF regeneration required by MOD 3 has been provided in areas around the park, consistent with a later Planning Assessment Commission approval (DA 15/1134).

Council provided OEH with an earlier plan labelled Fig 2 (Attachment 3), which shows 944m<sup>2</sup> of regenerated STIF, exceeding the MOD 3 requirement of 907m<sup>2</sup>. However, regeneration Areas C and D on this plan (located to the east of the central lawn) were problematic for OEH. OEH agreed with Council that Areas C and D have aesthetic value – the trees visually frame the park against the adjoining high rise development. But OEH regarded Areas C and D to be sub-optimal from a conservation perspective because they were not in close proximity with the original areas of STIF to the west and were too narrow for their length.

Seeking to address OEH's concern, Council provided a revised plan (dated 20/04/2018) followed by a further revised plan titled, Possible areas of additional STIF and dated 03/05/2018 (Attachment 4). OEH supports this latest plan which shows the possible location of 800m<sup>2</sup> of additional STIF. This plan also shows the opportunity to retain a further 115m<sup>2</sup> of existing STIF on original soils by removing the boardwalk area in the south-western part of the park.

3. *Location of the 700m<sup>2</sup> additional STIF to off-set road widening works*

Originally, the necessary road widening works on the perimeter of the park were assessed as resulting in a loss of 350m<sup>2</sup> of STIF. However, Council has confirmed that the loss is slightly less (339m<sup>2</sup>) and that through design changes to the park, off-set planting of additional STIF is increased, resulting in a net loss of 112m<sup>2</sup> of STIF associated with the road works (see Attachment 1).

Council had assessed that this net loss of 112m<sup>2</sup> of STIF would be adequately compensated by the 2,800m<sup>2</sup> of off-site replanting which has commenced at the Woonah St reserve in Miranda. OEH has raised no objection to this assessment.

Further, it is now evident that the latest design change to remove the boardwalk area (see points 1 and 2 above) retains an extra 115m<sup>2</sup> of original STIF which additionally compensates for the loss of STIF resulting from the road works.

4. *Location of the additional 800m<sup>2</sup> STIF proposed by MOD 8*

Council has provided a plan which shows possible locations for 800m<sup>2</sup> of additional STIF planting within the park (Attachment 4). The plan shows additional STIF located in areas adjoining the remnant STIF on the western part of the park. Final locations of additional STIF are subject to detail design. OEH supports this plan.

It is noted that the location of the children's playground may appear to be a desirable location for additional STIF because of its adjacency with existing STIF. However, the playground is separated from the existing STIF by a 1m - 4m high retaining wall (brick filled gabions), which follows the line of the original quarry escarpment. The retaining wall is already constructed to protect the original STIF to the west. It is not feasible to relocate the retaining wall, which is also important for its interpretation of the site's brick making heritage.

5. *Revegetation species selection*

Council has provided OEH with particulars regarding species selection and planting methodology for revegetation. OEH raises no concerns with this material.

6. *Recommended conditions*

In its letter of 13 April OEH recommended particular terms of approval for MOD 8, which were aimed at achieving appropriate conservation of STIF. Council is supportive of this intent and subsequently suggested minor changes to the OEH recommended terms (see Attachment 1). OEH has since indicated that Council's suggested changes are suitable (see Attachment 1).

Council now makes one further suggested change which arises from the proposed removal of the boardwalk. Council has provided a Landscape plan (drawing LD-SK102 rev 4) which shows the removal of the boardwalk (Attachment 5) and suggests that this plan be referenced in the terms of approval to replace reference to the earlier version which included a boardwalk. Council's suggested amendment to this effect is shown in Attachment 6.

Council is supportive of OEH in addressing the important issue of conserving the STIF as an endangered ecological community and recognises the intent of the concept plan approval to provide for a public park which is surrounded by forest.

Nonetheless, Council has experienced considerable difficulty in incorporating additional STIF within the park design. Since the original approval, the number of dwellings within the adjoining development has increased considerably from 432 dwellings to 808 dwellings, without any corresponding increase in the size of the park. This significant increase in residential population will result in significantly more recreational demand within the park, making it difficult to substitute open space areas for additional conservation.

Council considers the current design represents an appropriate balance between the often competing recreational needs of the adjoining development and conservation of STIF within the park, with little to no opportunity to accommodate additional STIF.

Yours sincerely



Mark Naylor  
Strategic Development Co-ordinator

Attachments:

- Attachment 1 Record of Council consultation with OEH
- Attachment 2 Fig 1 Areas of existing STIF
- Attachment 3 Fig 2 Additional STIF planting areas
- Attachment 4 Possible areas of additional STIF (03/05/2018)
- Attachment 5 Landscape Plan LD-SK102 rev 4
- Attachment 6 Suggested amendment to terms of approval re conservation of STIF

## Attachment 1      Record of Council consultation with OEH

### Response to issues raised in OEH submission to the MOD 8 Application for the modification of the Park at the Kirrawee Brickpit Site.

#### Comparison between extent of existing STIF MOD 3 compared to MOD 8

The extent of SIF noted in MOD 3 is 2,378m<sup>2</sup>, whereas in MOD 8 it is noted as 1434m<sup>2</sup>. This difference can largely be accounted for as the MOD 3 figure for existing STIF included both STIF on existing soils and STIF regenerating on the batter slopes of the pit excavation. Earlier documentation submitted with MOD 3 accounted for these separately, which led to questions from OEH as to the differences between earlier STIF extent and the later (approved) STIF extent. Attached is memo correspondence between the Applicant and OEH to confirm this.

The extent of STIF in MOD 8 has been accounted for separately. This is because the STIF growing on original soils is significantly different from the STIF which has regenerated on the batter slopes of the quarry wall. The figures for each in the MOD 8 application are, STIF on original soils 1434m<sup>2</sup>, and STIF regenerating on quarry walls (noted as additional STIF on the MOD 8 drawing) 832m<sup>2</sup>. This gives a combined total of 2,266m<sup>2</sup>. This compares like with like under both MOD 3 and MOD 8. Please find attached a plan that shows the comparable area under the MOD 8 proposal (Figure 1.).

#### Location of the 907m<sup>2</sup> STIF required by the MOD 3 approval

The 907m<sup>2</sup> of STIF regeneration required by MOD 3 has been provided in regenerated areas around the park, consistent with a later Planning Assessment Commission approval (DA 15/1134). The current submitted plan provides for 944m<sup>2</sup> of regenerated STIF. Beyond this STIF trees will be planted in areas around the park, but will not have understorey planting, so have not been considered in off set calculations.

Please find attached a marked up drawing showing where these areas are and how much STIF planting is in each (Figure 2.).

**OEH comment 1 May : It is noted the additional STIF planting (Areas A, B C, D and E) which provide for 944m<sup>2</sup> of regenerated STIF, that only Area A adjoins the STIF regenerating on quarry walls (832 m<sup>2</sup>) and that Areas C and D are located on the eastern side of the central lawn area. Is there potential for Areas C and D to be relocated so they adjoin or are in closer proximity to the STIF regenerating on quarry walls (832 m<sup>2</sup>)?**

Areas C and D have been included on the eastern boundary of the park to soften the park edge adjoining the commercial development. These areas have also been provided along this boundary to provide a feeling of the park being surrounded by the bush. In view of the location of these areas being sub-optimal from a conservation perspective, being somewhat remote from the main area of STIF and long and thin having a high perimeter to area ratio, Council have endeavoured to keep them as small as possible and provide larger rehabilitation areas closer to the main area of retained STIF. **OEH further comment 16 May : OEH has no issues with Areas C and D being provided along**

the eastern boundary of the park to soften the park edge. While Areas C and D have an aesthetic value, as noted in Council's response above, the location of Areas C and D are sub-optimal from a conservation perspective (ie remote from the main area of STIF and they are long and thin having a high perimeter to area ratio). OEH queries whether these areas should be used as part of the offset area and whether an equivalent area of 111m<sup>2</sup> and 80m<sup>2</sup> for Areas C and D should be provided as part of the offset closer to the main area of retained STIF.

The current plan (excepting the additional 800m<sup>2</sup> STIF) provides for 944m<sup>2</sup> of regenerating STIF compared to the currently approved 907m<sup>2</sup> of STIF. The majority of this 753m<sup>2</sup> is provided in close proximity to existing STIF and in a configuration that has a more favourable perimeter to area ratio. Council has experienced considerable difficulty in incorporating additional STIF within the park design. Since the original approval, the number of dwellings within the adjoining development has increased considerably from 432 dwellings to 808 dwellings, without any corresponding increase in the size of the park. This significant increase in residential population will result in significantly more recreational demand within the park, making it difficult to substitute open space areas for additional conservation. Council considers the current design represents an appropriate balance between the often competing recreational needs of the adjoining development and conservation of STIF within the park, with little to no opportunity to accommodate additional STIF.

Reconsideration of the location of the additional 800m<sup>2</sup> of STIF vegetation has resulted in a significant improvement in the connectivity and robustness of the regeneration Area B. Overall this will provide significantly more STIF regeneration adjoining the existing STIF than relocation of areas C and D (see section on additional 800m<sup>2</sup> of STIF below). **OEH further comment 16 May : OEH supports the proposed revised location of the additional 800m<sup>2</sup> of STIF vegetation which is shown on the revised Landscape Plan (SSC mark up 03/05/2018) compared to the proposed location shown on the previous version of this plan (dated 20/04/2018). It is suggested the faint black text on the revised Landscape Plan which relates to additional STIF is in a clear font colour so that it can be easily read.**

Noted.

In addition to the above redesign, the boardwalk in the south western corner will also be deleted. This was to be a boardwalk through the existing STIF, sensitively located so as to cause minimal damage. Being a boardwalk it would avoid disturbance to the soils and groundcovers that are associated with pathways. While this would minimise disturbance, some disturbance is unavoidable. The deletion of the boardwalk now completely avoids any disturbance in this area, providing for an additional 115m<sup>2</sup> of undisturbed original STIF. **OEH further comment 16 May: OEH supports the proposed deletion of the boardwalk in the south-western corner through the existing STIF and the provision of an additional 115m<sup>2</sup> of undisturbed original STIF.**

Noted.

#### Location of the 700m<sup>2</sup> additional STIF to off set road widening works

Subsequent to the approval of the road widening works a redesign of the internal park layout was undertaken. This resulted in some changes to internal grades and levels, which enabled Council to

save a little more original STIF than had been envisaged under the MOD 3 approval. It also resulted in slightly less (339m<sup>2</sup>) STIF being removed for the road works. Thus, while 339m<sup>2</sup> of STIF was removed for road widening works, some additional STIF was “saved” elsewhere on site, mainly on the southern side and north western corner, so that the total amount of STIF lost compared to MOD 3 was less than 350m<sup>2</sup> originally assessed.

Amount of STIF retained under MOD 3 was 2,378m<sup>2</sup>, whereas that retained under MOD 8 is 2,266m<sup>2</sup>. Thus the park redesign and road widening works resulted in a net loss of 112m<sup>2</sup> STIF rather than the originally proposed 350m<sup>2</sup>.

The original assessment for this considered removal of 350m<sup>2</sup> of STIF would be offset with an additional 700m<sup>2</sup> of planting on site and a further 2,800m<sup>2</sup> of planting off site at Woonah Street Reserve, Miranda. This off site planting was commenced prior to the redesign of the Park and the subsequent reassessment of the road widening works. Subsequently it was concluded that the 2,800m<sup>2</sup> of STIF replanting off site provided adequate compensation for the 112m<sup>2</sup> removed on site.

I have attached a photograph (Figure 3.) of the Woonah Street site showing some of the overstorey planting that has already taken place. This will be followed shortly by understorey planting.

#### Location of the additional 800m<sup>2</sup> STIF proposed by MOD 8

The submitted plan LD-SK102 (Rev 3) by Scott Carver, incorrectly does not contain the additional 800m<sup>2</sup> of STIF planting recommended by the Ecological assessment and noted within the application documentation. Council are happy to address this by amendment of the plan to incorporate the required 800m<sup>2</sup> adjacent to existing STIF as suggested by OEH. A “sketch” is attached which shows possible locations for this additional STIF planting. Final locations of additional STIF are subject to detailed design. While the SW corner, in the current playground location could be considered more acceptable, this portion of the site is separated from the existing STIF by a 4m high retaining wall and therefore would not provide the desired connectivity.

Please find attached a sketch that shows possible locations for this additional STIF.

**OEH comment 1 May : The sketch of the additional 800 m<sup>2</sup> of STIF planting (Areas 1, 2, 3 and 4) shows Areas 3 and 4 is contiguous with the STIF regenerating on quarry walls (832 m<sup>2</sup>) which is supported. The Sketch shows Area 1 is located in close proximity but it is unclear what the linear feature is that is located along the western boundary of the lawn area. Is there potential for the linear feature to be re-located? Is there potential for Area 2 to be relocated so it adjoins Area 1?**

**The RTS needs to include a scaled plan which shows the 800m<sup>2</sup> can be accommodated on the site and preferably so it adjoins the remnant STIF**

The linear feature located along the edge of the lawn is a retaining wall that is required to support the existing quarry wall and support the areas of existing STIF. Construction of this retaining wall was required early in the project as earthworks were undertaken to raise the level of the park to final ground levels. The retaining wall represented the best option for providing a lawn area with



acceptable grades without having to batter back into the existing STIF. This is a significant existing structure varying in height from 1 to 4 metres, which cannot be relocated. **OEH further comment 16**

**May : It is suggested the RTS includes this explanation**

Reconsideration of the location of the additional STIF has resulted in a revised layout that provides for the majority of the additional 800m2 of STIF to be located immediately adjacent to existing STIF on original soils and that regenerating on quarry walls. This is considered a superior outcome to that originally proposed, as it locates the majority of the compensatory STIF on the western portion of the site, providing for an effectively larger contiguous area with a reduced perimeter area ratio. A scaled plan is provided as requested to demonstrate this (see Figure 5.)

#### Revegetation Species selection

All revegetation on site will be undertaken in accordance with the planting guidelines contained in the "Kirrawee Brickpit Off-site Compensatory Bushland Planting" document produced by AECOM. This document contains a species list derived from the existing species list for the site supplemented by the species contained in the Scientific Committee determination for Sydney Turpentine Ironbark Forest.

I have attached a photograph (Figure 4.) of one of the off-site offset sites at Oak Road, Kirrawee to give an indication of the current state, density and nature of this off set planting. Similar species and methodology will be applied for onsite revegetation and regeneration.

#### Recommended Conditions

OEH have recommended some conditions of consent that modify the MOD 3 conditions of approval. Council broadly support these conditions as an appropriate way to address outstanding issues and concerns. Council have made some minor suggested changes to the recommended conditions for your consideration. **OEH comment 1 May :The suggested changes seem to be OK**

~~b) Include a lake, which can be located as shown on Drawing 13066-S75W07B (dated August 2014) or in a location agreed by Council.~~ **Must be generally in accordance with Landscape Plan LD-SK102 (rev 3) by Scott Carver, except as modified by (c) below;**

**c) Landscape Plan LD-SK102 be modified to provide for the conservation of the remnant Sydney Turpentine Ironbark Forest and revegetate and additional 800m2 of this vegetation community so that it adjoins the existing remnant within the public park.**

**g) include a Vegetation Management Plan that provides details on the management and maintenance of existing remnant and planted Sydney Turpentine Ironbark Forest at the site in perpetuity,** ~~is consistent with NSW Office of Water's Guidelines for vegetation plans on waterfront land.~~



Figure 3. STIF Revegetation – overstorey tree planting Woonah Street, Miranda.





Figure 4. Earlier STIF Regeneration – Oak Road, Kirrawee.

Attachment 1.

Here is a link to the original correspondence.

[https://majorprojects.accelo.com/public/524b924b1d65d4175e6707073afe94e4/2014\\_08\\_29\\_%20Proponent's%20response%20to%20EPA's%20RtS%20submission,%20including%20revised%20STIF%20impact%20\(drwg%2013066-S75W%2007b\)%20and%20Ecology%20Report.pdf](https://majorprojects.accelo.com/public/524b924b1d65d4175e6707073afe94e4/2014_08_29_%20Proponent's%20response%20to%20EPA's%20RtS%20submission,%20including%20revised%20STIF%20impact%20(drwg%2013066-S75W%2007b)%20and%20Ecology%20Report.pdf)

The relevant section is approximately half way through the correspondence. For convenience, the relevant section has been cut and pasted below.

The ST/F Impacts Comparison Plan (dated July 2014) is however at variance with the approved Concept Plan in terms of retained STIF on original soil area, STIF to be reinstated and the compensatory STIF bushland off-site offsets.

Areas mapped in the ST/F Impacts Comparison Plan in red and orange are labelled 'STIF to be retained' and 'STIF to be reinstated' respectively. Differences to the original mapping are that the red is larger than the area originally mapped as 'STIF on original soil' and the area mapped in orange is now less than half the original 'retained STIF regenerating on quarry walls'.





The area shown red is STIF to be retained (on original soil, as well as regenerating on quarry walls).

The area shown orange is new STIF, reinstated to areas where regrading of the site has required removal of STIF. This should not be confused with 'retained STIF regenerating on quarry walls'.



[Rev#]	[Description]	[Date]
-	COUNCIL WORKSHOP #1	27.03.201
-	COUNCIL WORKSHOP #2	04.05.201
-	COUNCIL WORKSHOP #3	29.06.201
1	VOLUNTARY PLANNING AGREEMENT	13.07.201
2	VOLUNTARY PLANNING AGREEMENT	05.10.201
3	VOLUNTARY PLANNING AGREEMENT	08.11.201

LEGEND:

-  Site Boundary
  -  Existing tree to be retained  
[Subject to separate application to council]
  -  Existing tree to be removed  
[Subject to separate application to council]
  -  Proposed tree
- + EX 104.5 Existing Levels : based aon survey
- + 99.50 Proposed nominal design levels: refer to engineers drawings
- 99.50 Existing contour: based on survey
- Proposed embankment

General Notes:

PLEASE NOTE PLANS TO BE READ IN  
CONJUNCTION WITH THE FOLLOWING  
APPENDICES (ATTACHED)

DA151134 Approval DA Consent (A3622851):  
DATED 2 MAY 2016

All Levels Indicated Taken To Australian Height Datum (AHD)

Generally All Materials & Construction to Comply To  
AS 3700

For Site levels and architectural information refer to Architects drawings respectively.

Contractor to confirm boundaries , services and levels prior to commencement of works , any conflicts to be reported to superintendent for direction

Contractor to protect all landscape works during construction , including but not exclusive to existing verge

All fabricated works including fences gates and screens to manufactures specification for finish and installation.

**Levels general :** contractor to ensure positive drainage to all pavements and planter areas, install subsoil drainage to planter areas as required



## Attachment 2









[Status] VOLUNTARY PLANNING AGREEMENT

[Nom. Architect] Andrew Turnbull  
RLA | RUD #673

[File]

[Print Date] 8 November 2017

History

[Rev#]	[Description]	[Date]
-	COUNCIL WORKSHOP #1	27.03.2017
-	COUNCIL WORKSHOP #2	04.05.2017
-	COUNCIL WORKSHOP #3	29.06.2017
1	VOLUNTARY PLANNING AGREEMENT	13.07.2017
2	VOLUNTARY PLANNING AGREEMENT	05.10.2017
3	VOLUNTARY PLANNING AGREEMENT	08.11.2017

LEGEND:

- Site Boundary
- Existing tree to be retained  
[Subject to separate application to council]
- Existing tree to be removed  
[Subject to separate application to council]
- Proposed tree
- + EX 104.5 Existing Levels : based aon survey
- + 99.50 Proposed nominal design levels: refer to engineers drawings
- 99.50 Existing contour: based on survey
- Proposed embankment

General Notes:

PLEASE NOTE PLANS TO BE READ IN CONJUNCTION WITH THE FOLLOWING APPENDICES [ATTACHED]

DA151134 Approval DA Consent (A3622851): DATED 2 MAY 2016

All Levels Indicated Taken To Australian Height Datum (AHD)

Generally All Materials & Construction to Comply To AS 3700

For Site levels and architectural information refer to Architects drawings respectively.

Contractor to confirm boundaries , services and levels prior to commencement of works , any conflicts to be reported to superintendent for direction.

Contractor to protect all landscape works during construction , including but not exclusive to existing verge.

All fabricated works including fences gates and screens to manufactures specification for finish and installation.

Levels general : contractor to ensure positive drainage to all pavements and planter areas, install subsoil drainage to planter areas as required.

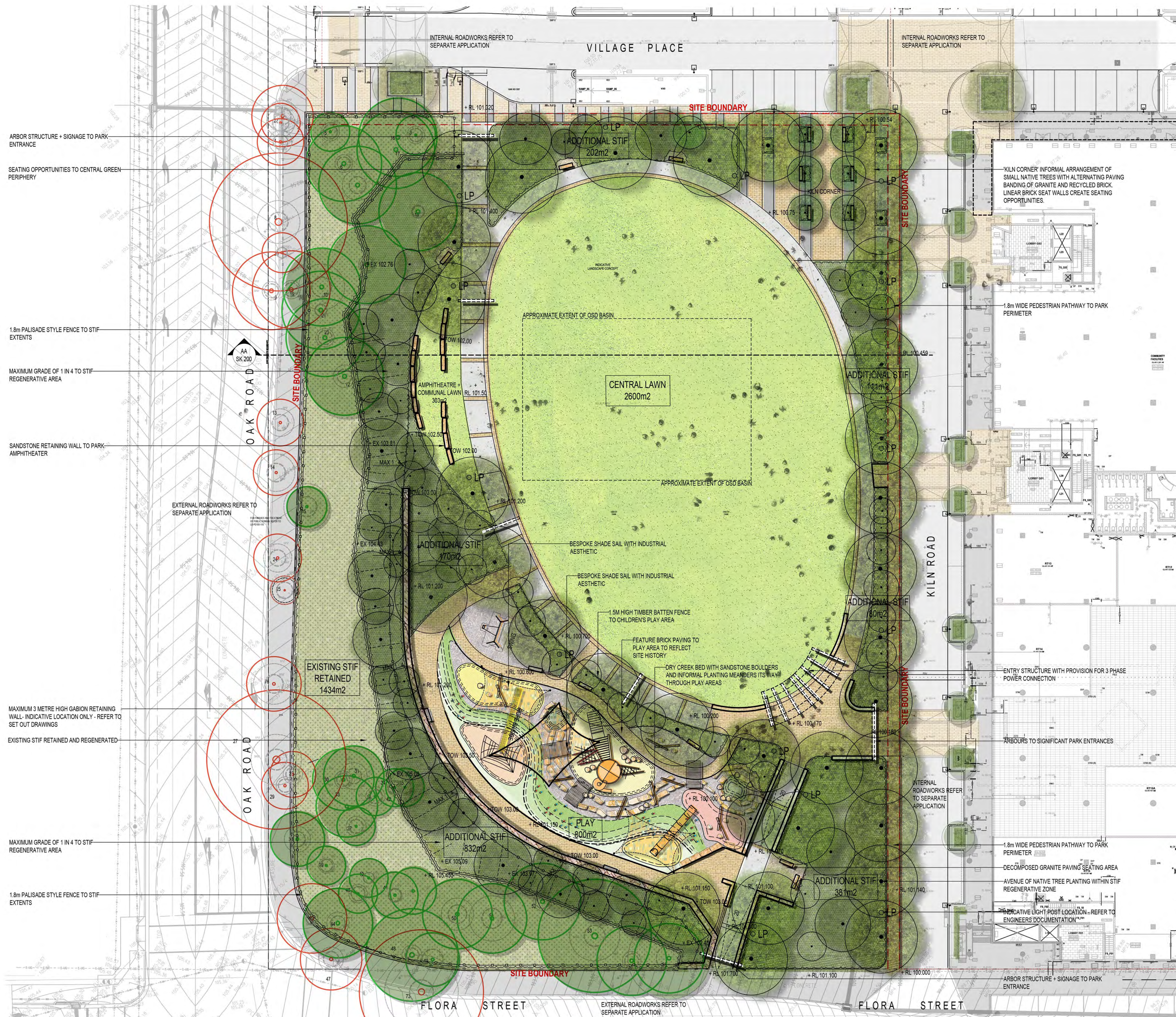
Attachment 4

POSSIBLE AREAS OF  
ADDITIONAL STIF  
SSC MARK UP 03/05/2018

LANDSCAPE PLAN







[Status] VOLUNTARY PLANNING AGREEMENT

[Nom. Architect] Andrew Turnbull  
RLA | RUD #673

[File]

[Print Date] 6 April 2018

## History

[Rev#]	[Description]	[Date]
-	COUNCIL WORKSHOP #1	27.03.2017
-	COUNCIL WORKSHOP #2	04.05.2017
-	COUNCIL WORKSHOP #3	29.06.2017
1	VOLUNTARY PLANNING AGREEMENT	13.07.2017
2	VOLUNTARY PLANNING AGREEMENT	05.10.2017
3	VOLUNTARY PLANNING AGREEMENT	08.11.2017
4	VOLUNTARY PLANNING AGREEMENT	06.04.2018

## LEGEND:

Site Boundary

Existing tree to be retained  
[Subject to separate application to council]

Existing tree to be removed  
[Subject to separate application to council]

Proposed tree

+ EX 104.5 Existing Levels : based aon survey

+ 99.50 Proposed nominal design levels: refer to engineers drawings

- 99.50 Existing contour: based on survey

Proposed embankment

## General Notes:

PLEASE NOTE PLANS TO BE READ IN CONJUNCTION WITH THE FOLLOWING APPENDICES [ATTACHED]

DA151134 Approval DA Consent (A3622851):  
DATED 2 MAY 2016

All Levels Indicated Taken To Australian Height Datum (AHD)

Generally All Materials & Construction to Comply To AS 3700

For Site levels and architectural information refer to Architects drawings respectively.

Contractor to confirm boundaries , services and levels prior to commencement of works , any conflicts to be reported to superintendent for direction.

Contractor to protect all landscape works during construction , including but not exclusive to existing verge.

All fabricated works including fences gates and screens to manufactures specification for finish and installation.

Levels general : contractor to ensure positive drainage to all pavements and planter areas, install subsoil drainage to planter areas as required.

Checklist

scott carver

Level One, One Chifley Square Sydney NSW 2000 Australia  
www.scottcarver.com.au +61 2 9957 3988

[Project] SOUTH VILLAGE - PUBLIC RESERVE, 566-594 PRINCES HIGHWAY, KIRRAWEE

[Client] DEICORP, LEVEL 3, 161 REDFERN STREET, REDFERN

0 2.5 5 7.5 10 12.5

[Scale] 1 : 250 @ A1



## LANDSCAPE PLAN

[Ref] 20150095

[Dwg No] LD-SK102

[Rev] 4



## Attachment 6 Proposed MOD 8 terms of approval incorporating amendments in relation to the conservation of STIF

The proposed amendments relating to the conservation of STIF incorporate suggested changes by OEH with further amendment by Council to replace Landscape Plan LD-SK102 rev 3 with **Landscape Plan LD-SK102 rev 4**.

### 1.1 Term of Approval A1 Development description

It is proposed that Term of Approval A1 (as modified), which is reproduced below, be amended by the deletion of the ~~bold-struck-out~~ words/numbers (in red):

“(a) Term of Approval A1 is amended by the insertion of the bold and underlined words/numbers and deletion of the ~~bold-struck-out~~ words/numbers as follows:

#### A1 DEVELOPMENT DESCRIPTION

Concept Plan approval is granted to the development as described below:

- a) Use of the site for a mixed use development with associated public open space;
- b) Indicative building envelopes for ~~9~~ 7 buildings to a maximum height of 14 Storeys;
- c) ~~60,735~~ 85,000m<sup>2</sup> of Gross Floor Area, comprising ~~45,505~~ 68,310m<sup>2</sup> of residential (~~432~~ 749 dwellings) and ~~15,230~~ 14,190m<sup>2</sup> of retail/commercial floor space (including ~~3,900~~ 4,740m<sup>2</sup> supermarket and ~~1,470~~ 1,450m<sup>2</sup> discount supermarket) and 1,500m<sup>2</sup> community facility;
- d) Basement level, ground and above ground car parking;
- e) Road layout to support the development;
- f) Public pedestrian and cycle pathway;
- g) Public park ~~with lake~~ and surrounding forest; and
- h) Landscaping areas throughout the site.

subject to compliance with the modifications of this approval.”

### 1.2 Term of Approval A2 Development in accordance with the plans and documentation

It is proposed that Term of Approval A2 (as modified), which is reproduced below, be amended by the insertion of the bold and underlined words/numbers (in red):

“(b) Term of Approval A2 is amended by the insertion of the bold and underlined words/numbers and deletion of the ~~bold-struck-out~~ words/numbers as follows:

## A2 DEVELOPMENT IN ACCORDANCE WITH THE PLANS AND DOCUMENTATION

The development shall be undertaken generally in accordance with:

- the Environmental Assessment dated December 2010 prepared by City Plan Services, except where amended by the Preferred Project Report dated 4 November 2011 including all associated documents and reports;
- the Revised Statement of Commitments prepared by Sutherland & Associates Planning Pty Ltd, dated October 2013; and
- Section 75W Modification to Concept Plan MP 10\_0076 MOD 2, prepared by Sutherland & Associates, dated October 2013 (as amended February 2014);
- **Section 75W Modification to Concept Plan MP 10\_0076 (MOD3), prepared by Sutherland & Associates, dated November 2013 as amended by Response to Submissions dated July 2014 and Response to Department of Planning & Environment Correspondence dated 3 September 2014; South Village Kirrawee – Quality of Sunlight – New Parkland. Rev 1 dated 24.12.14 prepared by Turner. Letter from IONIC to the Planning Assessment Commission dated 22 January 2015;**
- The draft Voluntary Planning Agreements prepared by Gadens Lawyers (reference 21009015.1 DTSDTA (community benefits) and 20497267.1 DTSDTS (biodiversity offset)); and the following drawings:

Architectural Drawings prepared by Woodhead Turner			
Drawing No.	Revision	Name of plan	Date
0040	B	Site Plan	19/10/11
0041	B	Landscape Plan	19/10/11
0100	B	Typical Top Level Residential Floor Plan	19/10/11
0110	B	Typical Residential Floor Plan	19/10/11
0120	B	Upper Ground Floor Plan	19/10/11
0130	B	Lower Ground Floor Plan	19/10/11
0140	B	Basement 1 Plan	19/10/11
0150	B	Basement 2 Plan	19/10/11
0160	B	Basement 3 Plan	19/10/11
0180	B	Floor Plans Buildings A to C – Sheet 1	19/10/11
0180A	B	Floor Plans Buildings A to C – Sheet 2	19/10/11
0181	B	Floor Plans Building D1, D2, E	19/10/11
0182	B	Floor Plans Building F, G & H	19/10/11
0190	B	Roof Plan with indicative plant rooms	11/05/12
0300	C	Indicative Sections East West (Masterplan)	15/05/12
0301	C	Indicative Sections North South (Masterplan)	15/05/12
0500	B	Indicative Elevations North & South	04/10/11
0501	B	Indicative Elevations West & East	04/10/11
0600	C	Indicative Staging – Lower Ground Stage 1	31/10/13
0602	B	Indicative Staging – Upper Ground Stage 1	19/10/11
0603	B	Indicative Staging – Upper Ground Stage 2	19/10/11
0604	B	Indicative Staging – Upper Ground Stage 3	19/10/11
<u>A-SK-700-</u>	<u>M</u>	<u>Envelope Plan Diagram</u>	<u>05/01/15</u>

001			
<del>A-SK-700-002</del>	<u>N</u>	<u>Envelope Elevation Diagrams</u>	<u>22/01/15</u>
<del>A-SK-700-003</del>	<u>N</u>	<u>Envelope Elevation Diagrams</u>	<u>22/01/15</u>
<del>A-SK-700-004</del>	<u>M</u>	<u>GA Plans – Illustrative Staging Plan</u>	<u>22/01/15</u>
<del>A-SK-700-005</del>	<u>L</u>	<u>Envelope Plan Basement</u>	<u>23/09/14</u>
<u>1306 6-S75 W 07</u>	<u>B</u>	<u>STIF Comparison Plan</u>	<u>August 2014</u>

Landscape Drawing prepared by Scott Carver			
<u>Drawing No.</u>	<u>Revision</u>	<u>Name of Plan</u>	<u>Date</u>
<u>LD-SK102</u>	<u>4</u>	<u>Landscape Plan</u>	<u>6/04/18</u>

except for as modified by the following pursuant to Section 75O(4) of the Act.”

### 1.3 Term of Approval A11 Public Park

It is proposed that Term of Approval A11 (as modified), which is reproduced below, be amended by the insertion of the **bold and underlined** words/numbers (in red) and the deletion of the **~~bold and struck-out~~** words/numbers (in red):

- “(h) Term of Approval A11 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the **~~bold struck-out~~** words/numbers as follows:

#### A11 PUBLIC PARK

The development application for ~~the first substantive~~ stage **2A** of the development must ~~provide for~~ **include** the design, management and tenure of the public park on the land ~~within Zone 13~~ **generally as shown as ‘new park’ on drawing A-SK-700-005 LD-SK102 Revision 3** listed in Term of Approval A2.

The public park must:

- a) Be designed **by a qualified landscape architect and generally in accordance with the plans and documents referred to in Condition A2; and in consultation with the Council;**
- b) Include a lake, which can be located as shown on Drawing 13066-S75W07B (dated August 2014) or**



~~in a location agreed by Council;~~Must be generally in accordance with Landscape Plan LD-SK102 (rev 4) by Scott Carver, except as modified by (c) below;

- c) Landscape Plan LD-SK102 be modified to provide for the conservation of the Sydney Turpentine Ironbark Forest; and and revegetate an additional 800m2 of this vegetation community so that it adjoins the existing remnant within the public park.
- d) Be publicly accessible;~~and~~
- e) Include high quality hard and soft landscaping and paving areas and a variety of recreation facilities;
- f) Be contiguous with and accessible from the public domain
- g) Include a Vegetation Management Plan that provides details on the management and maintenance of existing remnant and planted Sydney Turpentine Ironbark Forest at the site in perpetuity~~is consistent with NSW Office of Water's Guidelines for vegetation plans on waterfront land; and~~

~~The public park may be provided in accordance with the terms of a planning agreement offered by the proponent and the subject of a Council resolution referred to in Appendix 16 of the Preferred Project Report."~~

#### 1.4 Term of Approval A11A Voluntary Planning Agreement – Community Benefits

It is proposed that Term of Approval A11A (as modified), which is reproduced below, be amended by the insertion of the bold and underlined words/numbers (in red) and the deletion of the ~~bold and struck out~~ words/numbers (in red):

- "(i) Insert a new Term of Approval A11A (Voluntary Planning Agreement) after Term of Approval 11.

#### A11A Voluntary Planning Agreement – Community Benefits

The proponent shall enter into a Voluntary Planning Agreement (VPA) with Sutherland Shire Council prior to the release of the first Occupation Certificate for the first substantive development application. The VPA shall be generally consistent with the draft VPA prepared by Gadens Lawyers ((reference 21009015.1 DTS DTS) and Council's comments in its letter to the PAC (attached as Appendix 1 to the PAC determination report dated 30 January 2015) to provide for:

- a) construction, embellishment and dedication of public open space generally as shown ~~as 'new park'~~ on drawing LD-SK102 Revision 4 listed in Term of Approval A2:
- b) construction and dedication of a 1,500m<sup>2</sup> community facility;
- c) monetary contribution towards the beautification of Kirrawee Shopping Precinct (between Flora Street and Kirrawee Station); and monetary contribution towards the upgrade of Oak Road (between Flora Street and the Princes Highway)."