

Appendix A – Response to Submissions (MP 06_0094 Mod 5)

1.0 Agency Submissions

The following table includes a response to the full text of submissions provided by or on behalf of State and local government agencies. For completeness, the full text of each submission is provided in the left-hand column, accompanied by the proponent's corresponding response in the right-hand column. The Proponent's responses have been informed by input by the expert consultant team and should be read in conjunction with the publicly exhibited Environmental Assessment Report and accompanying technical reports, as well as the Preferred Project Report which this document is appended.

Key Issue		Response	Reference
NSW Department of Planning and Environment			
1. Land Use			
DPE 1A	Please clarify the future uses on the site. If Seniors Housing is proposed, please demonstrate that future buildings are capable of complying with the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.	<p>As detailed within the EAR and the amended Concept Plan at Appendix B, the site contains three precincts including Precinct 1 (formally Central Precinct), Precinct 2 (formally Hilltop Precinct) and Precinct 3 (formally Ocean View Precinct). The amended Concept Plan nominates the following uses within each precinct:</p> <p>Precinct 1:</p> <ul style="list-style-type: none"> Residential Aged Care Facility (RACF) ancillary facilities for residents as well as residential flat buildings containing independent living units. <p>Precinct 2:</p> <ul style="list-style-type: none"> Multi-dwelling housing (townhouses/terraces) and detached houses. To be occupied as either standard residential accommodation or seniors housing. <p>Precinct 3:</p> <ul style="list-style-type: none"> Multi-dwelling housing (townhouses/terraces) and detached houses. To be occupied as either standard residential accommodation or seniors housing. <p>All subsequent detailed Development Applications relating to seniors housing will be required to demonstrate compliance with the requirements contained under <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>.</p>	Appendix B
DPE 1B	Should you wish to pursue a flexible approach to future uses, the Department considers the proposed building envelopes and road layouts should be removed or shown in less detail, to allow a thorough assessment of future buildings at the DA stage, depending on the proposed use.	For absolute clarity, consent is only sought for the detail shown on the amended Concept Plan at Appendix B . Refer to Section 2.1 of the RtS report for a discussion on the proposed land uses. A flexible approach is proposed.	Appendix B

Key Issue		Response	Reference
2. Density			
DPE 2A	<p>The Department considers the proposed number of lots along Wilkies and Geraghty Streets would result in:</p> <ul style="list-style-type: none"> Excessive driveway crossings, potentially resulting in adverse parking and pedestrian safety impacts Narrow building envelopes resulting in garages dominating the streetscape Poor solar access, privacy and lack of open space Shallow lots resulting in private open space within the front setback The diversion of Cooksons Creek Reduce views towards the Turpentine Forest <p>The number of lots and the extent of the development footprint along these streets should be reduced to address the above issues.</p>	<p>In response to this, the Concept Plan has been amended to minimise primary frontages to Wilkies Street and Geraghty Street as shown at Appendix B. Specifically, the road layout has been reconfigured to provide internal circulation roads that will allow future dwellings the opportunity to facilitate driveway access from the internal circulation roads.</p> <p>The detailed design in subsequent Development Applications will be required to demonstrate appropriate streetscape presentation and demonstrate that dwellings receive adequate solar access, privacy and access to private open space.</p> <p>The proposal does not involve the diversion of Cooksons Creek. Dwellings along Wilkies and Geraghty Street within Precinct 2 are at the high point of the site. The deletion of dwellings along Geraghty Street will improve views to the Turpentine forest.</p>	Appendix B
3. Layout			
DPE 3A	<p>The Department considers the proposed layout of the Ocean View Precinct should be improved by:</p> <ul style="list-style-type: none"> Removing the proposed dual frontages for lots in the Ocean View Precinct Providing a perimeter road around the Ocean View Precinct 	<p>In response to this, the Concept Plan has been modified with the road layout now facilitating a development outcome that removes the opportunity for dual frontages within Precinct 3. Further discussion is provided at Section 3.2 of the RtS report.</p>	Appendix B
4. Urban Design			
DPE 4A	<p>The future RACF building should be redesigned to remove the proposed above ground parking. If it is demonstrated that above ground parking cannot be avoided, please outline the measures that would be implemented to minimise the visual impacts of above ground parking.</p>	Refer to the Supplementary Design Report and Indicative Architectural Drawings at Appendix C .	Appendix C
5. Flooding and Stormwater			
DPE 5A	<p>The Department shares Council's concerns that the proposed flood/sound barrier along the western boundary may result in unacceptable impacts on adjoining properties. Updated flood modelling must be provided demonstrating that overland and floodwater flows would not result in any diversion of floodwater or increase flooding impacts on adjoining properties or rail infrastructure.</p>	Refer to the Amended Flood Impact Assessment and Concept Water Management Strategy at Appendix E .	Appendix E
DPE 5B	<p>Please provide updated flood modelling which includes climate change considerations, as recommended by OEH.</p>	A TUFLOW model was set up and run to assess the impacts of climate change in a 100 year ARI design event. Refer to Section 5.6.2 of Appendix E for further discussions.	Appendix E

Key Issue		Response	Reference
6. Aboriginal Cultural Heritage			
DPE 6A	The Aboriginal community consultation process to support the AHIP application should be restarted in accordance with OEH guidelines and the additional information requested by OEH in relation to the AHIP should be provided.	Refer to the response prepared by Mary Dallas Consulting Archaeologists (MDCA) at Appendix G . MDCA confirms that consultation is ongoing. When MDCA produced the draft ACHAR, it was distributed to all the Relevant Aboriginal Parties (RAPs) and no responses were received. MDCA refute that the consultation process should be restarted, that the current RAPs be given another chance to respond the ACHAR before it is finalised and accompanies the AHIP. It is noted an AHIP will not be issued without an approved DA.	Appendix G
7. Biodiversity			
DPE 7A	The species credit calculations should be revised as recommended by OEH.	Refer to the response under OEH 1D.	Appendix G
8. Site Constraints			
DPE 8A	The proposal should demonstrate how future construction impacts on the Turpentine forest and Aboriginal Archaeological site can be appropriately managed or avoided.	<p>As no works are proposed under this application, the Applicant requests that a CMP be required to be submitted with any subsequent DA's. Notwithstanding this, the Applicant has engaged Cumberland Ecology and MDCA and to consider preliminary methods to mitigate construction impacts on the Turpentine Forest and Aboriginal Archology site. These methods are outlined at Appendix I and Appendix G, respectively.</p> <p>The CMP will be a responsive document which continues to be refined throughout the detailed design, builder procurement and construction phases of the proposed development to ensure impacts on the Turpentine forest and Aboriginal Archaeological site are appropriately managed.</p>	Appendix I Appendix G
9. Level of Detail			
DPE 9A	<p>The approved Concept Plan included simple maximum building envelopes which allowed for flexibility in the building design as DA stage. The proposed modified plans are too detailed, and the Department does not consider it appropriate to include this level of detail at the Concept Plan stage.</p> <p>A plan showing simple maximum building envelopes and RLS should be provided for consideration.</p>	<p>As noted at response 1B above, amended Concept Plans have been prepared by JSA and are available at Appendix B. The amended Concept Plans are now consistent with the level of detail presented on the approved Concept Plans.</p> <p>JSA have supplemented the amended Concept Plans with indicative designs in response to the SEARs in relation to demonstrating a workable future built form. The Supplementary Design Report and Indicative Architectural Drawings at Appendix C.</p> <p>For absolute clarity, consent is only sought for the detail shown on the amended Concept Plans at Appendix B.</p>	Appendix B Appendix C
10. Miscellaneous			
DPE 10A	Details of the future ownership and management arrangements for the Turpentine Forest, Riparian Corridor and Aboriginal Archaeological Site should be provided, noting that Council has advised it will not accept ownership.	Anglicare will retain ownership and management of the Turpentine Forest, Riparian Corridor and Aboriginal Archaeological sites. Notwithstanding this, Anglicare is seeking to engage parties interested in the future ownership and management of these sites.	
DPE 10B	An updated plan clearly showing active and passive open space should be provided.	Refer to Appendix L of the RTS/PPR.	Appendix L

Key Issue		Response	Reference
Office of Environment and Heritage			
OEH 1A	The proposed modification will reduce the overall level of harm to Aboriginal objects. However, as impacts to Aboriginal heritage will still occur we recommend developing an Aboriginal Heritage Management Plan to ensure appropriate long term management of Aboriginal heritage in the context of the proposed development.	Noted. This is considered an appropriate condition of consent.	
OEH 1B	We also require the Aboriginal community consultation process to be restarted in order to support an AHIP application that complies with OEH guidelines. We have attached additional comments at Appendix A in relation to the anticipated AHIP application.	Refer to the response prepared by Mary Dallas Consulting Archaeologists (MDCA) at Appendix G . MDCA confirms that consultation is ongoing. When MDCA produced the draft ACHAR, it was distributed to all the Relevant Aboriginal Parties (RAPs) and no responses were received. MDCA refute that the consultation process should be restarted, that the current RAPs be given another chance to respond the ACHAR before it is finalised and accompanies the AHIP. It is noted an AHIP will not be issued without an approved DA.	Appendix G
OEH 1C	We consider that the SEAR recommending that additional impacts of the proposed modification on biodiversity be considered has been addressed. However, we recommend that the offset scenario derived from on-ground plot data based on current site conditions, rather than the scenario manipulating plot data to exclude a widespread Acacia species, be adopted for future offset requirements.	Cumberland Ecology has provided a detailed response within the Biodiversity and Vegetation Management Cover Letter at Appendix H .	Appendix H Appendix I
OEH 1D	We also recommend revisiting the species credit calculations as detailed at Appendix A. Offsets should be provided at an early stage to reduce any further assessment or delays at future development stages.	Cumberland Ecology has provided a detailed response within the Biodiversity and Vegetation Management Cover Letter at Appendix H .	Appendix H Appendix I
OEH 1E	It is suggested that further clarity be sought on the following floodplain risk management matters: <ul style="list-style-type: none"> Flood impacts comparing existing with developed conditions for both existing and future implementation of relevant flood mitigation measures identified in Council's Hewitts Creek FRMP; Climate change considerations; Implications for the ecology of the upper reach of Cookson Creek resulting from diversion of flows; Whether increased flows and associated afflux in the rail corridor is acceptable in terms of existing drainage infrastructure and agreeable to the land and asset owner; and Whether reasonable attempts have been made to seek the preferable approach of reconfiguring the layout to accommodate the existing creek. 	Cardno has provided the following response, also set out within the Amended Flood Impact Assessment and Concept Water Management Strategy at Appendix E . <ul style="list-style-type: none"> Cardno has reviewed the management schemes presented in Council's Hewitts Creek FRMP. We have identified that schemes SB and TB1 is more relevant to this current study as they may result in changes to the flows entering Tramway Creek. The elements of these schemes which seemed relevant were further investigated. TUFLOW model was set up and run to assess if the measures were anticipated to have reverse impacts on the flooding behaviour on and around the site. Refer to Section 5.6.3 of Appendix E for more information. The Ecological Implications are considered within the Biodiversity Development Assessment Report prepared by Cumberland Ecology and provided at Appendix H. A TUFLOW model was set up and run to assess the impacts of climate change in a 100 year ARI design event. Refer to Section 5.6.2 of Appendix E for further discussions. Cardno have undertaken an assessment of the increased flows due to climate change and potential impacts on the rail corridor as requested by this RFI. A memo can be prepared to the rail authority to acquire their agreement if required. Please refer to Section 5.6.4 of Appendix E for further information. Cardno have removed 4 units from the existing flow path alignment (as advised by WCC), proposed a gap in the sound barrier wall and updated the TUFLOW model. The impacts assessment, flood maps and the report have been updated accordingly. 	Appendix E Appendix H

Key Issue		Response	Reference
OEH 1F	We recommend that water quality objectives be established for the development proposal to guide the design of stormwater treatment measures and demonstrate the influence of water quality impacts on coastal wetlands. This includes the additional impact upon water quality of any potential contaminants within the revised concept layout footprint, consistent with the relevant policy and legislative framework for the coastal environment.	Cardno has provided the following response, also set out within the Amended Flood Impact Assessment and Concept Water Management Strategy at Appendix E . Water quality objectives have been established and included in this report. Refer to Section 6.1 of Appendix E for further information.	Appendix E
Roads and Maritime Services			
RMS 1A	The key state road are the Princes Highway and Lawrence Hargrave Drive	Noted.	
RMS 1B	The revised Statements of Commitments include the provision of the North-South Road Link (commitment 27).	Noted.	
RMS 1C	<p>RMS believes the provision of the North-South road link is a vital part of the proposal. This link will connect Wrexham Road in the north to Point Street in south. RMS believes:</p> <ul style="list-style-type: none"> the link will provide significant benefits for the residents of the precinct, in allowing local trips between the precinct and Thirroul/Bulli to occur without forcing residents to travel onto the Princes Highway/Lawrence Hargrave Drive and without attracting through trips (i.e. trips through the precinct without an origin or destination within the precinct); the link will not only provide benefits for the residents within the precinct, but it will also provide benefits to motorists on the Princes Highway/Lawrence Hargrave Drive (i.e. the local trips will not unnecessarily utilise the arterial roads); and not providing the link would not only increase delays for all motorists on the arterial road network, but also increase delays for all residents within the precinct (as they both attempt to exit and enter the precinct, and move between Point Street and Wrexham Road on the arterial road network). <p>RMS believes it is important to deliver this link as part of the subdivision. Given this, and the above comments, RMS will not object to the DA subject to the conditions outlined in Appendix 1 (below) being included in the conditions of development consent:</p>	Noted.	

Key Issue		Response	Reference
RMS 1D	Prior to the issuing of the Subdivision Works Certificate, the developer must obtain Section 138 consent under the Roads Act, 1993 from Council for the design of the North-South Road Link.	Noted.	
RMS 1E	Prior to the issuing of the Subdivision Certificate (interim or final), the developer must construct the North South Road Link to Council standards and satisfaction.	Noted.	
Transport for NSW			
TFNSW 1A	The proposal seeks to modify the concept approval for the development of the retirement village to reduce the number of independent living units and beds in the aged care facility, replace the 3 storey apartment buildings with 55 standard residential dwellings and modify the proposed road network and pathways.	Noted.	
TFNSW 1B	On this note, the exhibited documents have been reviewed and no further comment is provided at this stage of the planning process.	Noted.	
Sydney Water			
SW 1A	The approved plans must be submitted to the Sydney Water Tap in online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easements, and if further requirements need to be met.	Noted.	
SW 1B	A Section 73 Compliance Certificate under the <i>Sydney Water Act 1994</i> must be obtained from Sydney Water. It is recommended that applicants apply early for the certificate as there may be water and sewer pipes to be built and this can take some time.	Noted.	
Sydney Trains			
ST 1A	The Proponent is to consult with Sydney Trains regarding proposed future bridge over Tramway Creek	Noted.	

Key Issue		Response	Reference
Department of Industry			
1. Prior To Approval			
DPI 1A	The proposed works and rehabilitation occurring on waterfront land should be constructed in accordance with the guidelines for working on waterfront land: https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities	Noted. Cumberland Ecology confirms that the proposal been informed by these guidelines. Subsequent DA's will also integrate these guidelines as detailed works will be proposed at this stage.	
DPI 1B	A commitment to conduct appropriate remediation and rehabilitation of the watercourses on site should be provided in the revised Statement of Commitments. The commitment to form a remediation plan for Tramway Creek, Slackys Creek and Woodfords Creek should include a commitment to follow the procedure set out in A Rehabilitation Manual for Australian Streams (Co Operative Research Centre for Catchment Hydrology – Land and Water Resources Research and Development Corporation Canberra 2000)	Refer to Commitment 17, within the Revised Statement of Commitments at Appendix D .	Appendix D
2. Post Approval			
DPI 2A	Remediation and rehabilitation of Tramway Creek, Slackys Creek and Woodfords Creek should be planned and implemented in accordance with A Rehabilitation Manual for Australian Streams (Co Operative Research Centre for Catchment Hydrology – Land and Water Resources Research and Development Corporation Canberra 2000), and relevant urban stream management and rehabilitation guidelines.	The Concept Plan consent contains conditions relating to the rehabilitation and management of the creeks (A2, C3 and C4) This modification application does not seek to amend these conditions.	
	Ongoing monitoring of stream condition, incipient bed incision, bank attack or risk of bank failure should occur following any flow event that induces flow velocities in excess of 1 m/s OR a nominated 1:5 Yr ARI flow event. This should be conducted by an accredited fluvial geomorphologist.		
NSW Rural Fire Service			
RFS 1A	The NSW RFS notes that the land is not mapped as bushfire prone land by Wollongong City Council	Noted.	
RFS 1B	The NSW RFS has no objection to the modification proposal and recommends that the current bush fire requirements in Schedule 3 of the Concept Plan Approval remain unchanged	Peterson Bushfire has prepared a Bushfire Impact Response and is provided at Appendix K .	Appendix K

Key Issue		Response	Reference
Wollongong City Council			
1. Transfer of planning provisions			
WCC 1A	On 5 February and 26 June 2018 the Department of Planning (DoP) wrote to Council regarding a proposal to transfer the planning provisions of Sandon Point from State Environmental Planning Policy (State Significant Precincts) (SEPP) to the Wollongong Local Environmental Plan 2009 (WLEP2009). The DoP proposes that the objectives, zones, FSR and height under the SEPP be transferred to WLEP2009. Where there are land uses or zones additional to those under WLEP2009 these are proposed to be transferred as additional local provisions under WLEP2009. In terms of FSR and height the DoP acknowledges the role of approved concept plan as modified. Council has made submissions to the DoP on this proposal.	Noted. The Concept Plan was approved under in accordance with <i>State Environmental Planning Policy (State Significant Precincts)</i> and the provisions relating to the site remain within this SEPP. Notwithstanding the transfer of the provisions to the LEP, the Concept Plan would continue to apply and prevail.	
WCC 1B	In general, the zoning, height and FSR provisions of the Anglicare land between the SEPP and WLEP2009 are the same. This means that except for the existence of the concept plan the subject proposal would be out of character with the existing built form surrounding the Anglicare land. It is also noted that the approved concept plan was intended for seniors living consisting of independent living units (ILU) and residential aged care facility (RACF). This differs from the subject proposal for being a combination of residential dwellings (multi dwelling, townhouses, terraces and semi-detached), ILU and RACF.	Noted. The proposed modifications to Concept Plan arise from a review that Anglicare has undertaken of the market for seniors housing in the Bulli area. This research has revealed that there has been a constant supply of new seniors housing in the locality since 2006, therefore demand for this type of housing has decreased. Further the provision of such a large number of Independent Living Units is likely to be unsustainable in the Bulli context and as such a greater mix of housing types is now proposed.	
WCC 1C	Although the current and future zoning would permit multi dwelling housing ILU and the RACF, Council remains concerned whether this is suitable or appropriate having regard to Section 79C of the Act. The majority of the land has been developed in accordance with the approved Concept Plan. Single residential dwellings and dual occupancy development of one and two stories are the only building types and forms. The subject proposal is a departure from this and the multi dwelling housing, ILU and RACF in the manner proposed would not be consistent with the character and scale of existing or development expected by the community. This is mostly evident in the proposed floor areas and heights as compared to the two storey height and floor space approved thus far.	<p>The Applicant does not support this statement for the following reasons:</p> <ul style="list-style-type: none"> As Council has identified, all the proposed uses are permissible with consent under <i>State Environmental Planning Policy (State Significant Precincts) 2005</i>. The approved Concept Plan facilitated development of up to four storeys with 21.4% site coverage. The amended Concept Plan facilitates a maximum development height of three storeys with 17.6% site coverage. As such this represents a reduction in overall density. The approved Concept Plan facilitated a four storey RACF within Precinct 2 and three storey residential flat buildings within Precinct 3. The amended Concept Plan seeks to provide a more appropriate and sympathetic built form transition to the low density single dwellings to the north by providing multi dwelling housing within these precincts and relocating the larger scale RACF and apartment blocks to the low point of the site within Precinct 1. 	Appendix B

	Key Issue	Response	Reference
2. North/south Link Road and bridge over Tramway Creek			
WCC 2A	<p>Councils previous comments dated 16 February 2018 raised the need for the development to provide a road connection (north-south link road) between the northern and southern existing housing areas to distribute the traffic and reduce traffic flows on the Princes Highway/Wrexham Road intersection.</p> <p>Council understands that the north/south link road is to be provided under the subject application which is supported as a way of distributing traffic north and south from the proposed development as well as the existing McCauley's estate.</p>	The provision of this new road connection is maintained as detailed within the Revised Statement of Commitments at Appendix D .	Appendix D
WCC 2B	<p>Council also supports the following contribution as outlined in Section 5.15 of the Ethos Urban Environmental Assessment Report (2018) (EAR) where Anglicare is proposing the following:</p> <p><i>- The link road running through the Anglicare site parallel to the Illawarra Rail line will be dedicated to Council after it is constructed. The link road will be maintained by Anglicare for 6 months after it is dedicated after which time it would be maintained by Council.</i></p> <p>It is requested that any approval incorporate conditions requiring that the north/south link road be constructed and maintained as outlined above by Anglicare and not by Wollongong City Council.</p>	Anglicare is proposing to construct the proposed road and maintain ownership during the maintenance period. However, it is considered that the local road should be retained in ownership by Wollongong City Council similar to all of the other roads within the Sandon Point development.	
WCC 2C	<p>The provision of the north/south link road includes the construction of a bridge over Tramway Creek on land which is currently owned by Stockland not Council as mention in the EAR. This raises an issue of responsibility regarding the construction of the bridge.</p> <p>Regardless of whether the ownership of the Tramway Creek land is transferred to Council in the future, Council is not in a position to undertake construction of this bridge as a result of the subject project. The construction should be undertaken by Anglicare with the consent of the land owner.</p> <p>Council supports the following contribution as outlined in Section 5.15 of the Ethos Urban EAR (2018) where Anglicare is proposing the following:</p>	Anglicare is committed to constructing the bridge as part of the development as confirmed within the updated Statement of Commitments at Appendix D . Additional landowners consent is not required as a clause 8F designation has been issued for the site.	Appendix D

Key Issue		Response	Reference
	<p>- <i>Sandon Point Drive connection and Tramway Creek road bridge.</i></p> <p>It is requested that any approval incorporate conditions also requiring that the bridge over tramway Creek be constructed as outlined above by Anglicare and not by Wollongong City Council.</p>		
3. Ongoing management of Turpentine Forest			
WCC 3A	<p>Council supports the following contribution as outlined in Section 5.15 of the Ethos Urban EAR (2018) where Anglicare is proposing the following:</p> <p>- <i>Turpentine Forest rehabilitation and embellishment</i></p> <p>Clarification is sought regarding the ongoing management and maintenance of the turpentine forest and riparian lands prior to issuing any approval. Council met with the proponent's consultant on 30 July 2018, and recommended that Anglicare consult with relevant interest groups (ie. Local Land Council/Aboriginal groups) to gauge interest in long term ownership of the riparian corridor and turpentine forest. Alternatively, Anglicare should retain ownership and management of this land. Council will not accept ownership.</p>	<p>As noted in DPE response 10A, Anglicare will retain ownership and management of the Turpentine Forest, Riparian Corridor and Aboriginal Archaeological sites. Notwithstanding this, Anglicare is seeking to engage seeking to engage parties interested in the future ownership and management of these sites. Refer to Section 2.10 of the PPR for further details.</p>	
4. Character/scale of the development			
WCC 4A	<p>The following comments are made in relation to the Hilltop Precinct:</p> <ul style="list-style-type: none"> Concerns are raised over the number of crossovers required to service the proposed housing in this precinct. This will significantly reduce the amount of on-street parking. More detailed information is required on the number and the width of crossovers. 	<p>In response to this, the Applicant has amended the Concept Plan layout to minimise primary frontages to Wilkies Street and Geraghty Street. Specifically, the road layout has been amended to provide internal circulation roads that will allow future dwelling Development Applications the opportunity to facilitate driveway access from the internal circulation roads. Driveway details will be developed in subsequent Development Applications.</p>	Appendix B
WCC 4B	<ul style="list-style-type: none"> The EAR states that the housing will be occupied by either standard residential dwellings or senior accommodation depending on market feasibility at the time of construction which raises issues of certainty. The architectural design concepts for this precinct indicate a 2 storey construction which is not feasible for seniors living. Should seniors living be required, single storey construction with an adaptable layout plan would be preferable. 	<p>Amended Concept Plans have been prepared by JSA and are provided at Appendix B. The amended Concept Plans are now consistent with the level of detail presented on the approved Concept Plans. JSA have supplemented the amended Concept Plans with additional design studies as indicative plans only to satisfy the SEARs in relation to demonstrating a workable future built form.</p> <p>All subsequent detailed Development Applications relating to seniors housing will be designed in accordance with the requirements contained under <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>. Compliance will need to be demonstrated at the detailed design stage.</p>	Appendix B

Key Issue	Response	Reference
WCC 4C	<ul style="list-style-type: none"> Given proposed transfer of planning provisions, the housing in this precinct would need to comply with the requirements of Chapter B1 of Wollongong DCP 2009. The garage widths appear to not comply with Council's minimum requirements. Given the small size of the housing, there is no storage provided. More information is required as to whether the private open space for each of the dwellings would be able to achieve the required solar access requirements. 	
WCC 4D	<p>The following comments are made in relation to the Ocean View Precinct:</p> <ul style="list-style-type: none"> Concern is raised over the width of the proposed internal road network and the ability to carry out waste collection. 	Appendix M
WCC 4E	<ul style="list-style-type: none"> The EAR description (proposed for detached and semi-detached residential dwellings up to 2 stories plus basement/parking) is at odds with the concept architectural plans for this precinct which show a 3 storey design with garage at the ground floor, living area on level 1 and bedrooms on level 2. This further exacerbates pressure on the internal road network due the number of crossovers required and the lack of on street parking. This is not an ideal layout as there is no connectivity with the private open space at ground level and the living areas on the upper level. Privacy issues are expected should all these dwellings have private open space located on a balcony on level 1 as there is minimal separation between the dwellings. 	Appendix B
WCC 4F	<ul style="list-style-type: none"> The subdivision pattern shows that a number of the proposed allotments will have a dual road frontage. A large number of the allotments will each have a road frontage to the front and the rear of the site. Consideration should be given to amending the subdivision layout to avoid high fencing to screen private open space located at the rear of the site. This will adversely impact upon the streetscape and will not be supported in any subsequent development application. 	Appendix B
WCC 4G	<ul style="list-style-type: none"> Given proposed transfer of planning provisions, the housing in this precinct would need to comply with the requirements of Chapter B1 of Wollongong DCP 2009. 	

	Key Issue	Response	Reference
WCC 4H	<ul style="list-style-type: none"> Council does not support the proposed dwellings in the south eastern section of this precinct abutting the aboriginal archaeological site. Proposed lots to the east appear to have insufficient lot depth of less than 25m as required by Council's controls. There is also expected to be heritage impacts due to insufficient buffer between proposed allotments and the archaeological site. 	<p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by MDCA and provided with the EAR. Within the ACHAR, MDCA has determined that that a sufficient buffer is proposed to ensure the protection of the retained archaeological artefacts. We also refer to the OEH's response outlined at OEH 1A above, noting that the proposed modification will reduce the overall level of harm to Aboriginal objects.</p> <p>As detailed within the EAR, an initial assessment of the site undertaken by MCDAA in 2004 identified an area of Aboriginal archaeological sensitivity located in Lot 2 in DP224431. Archaeological investigations of the area of sensitivity were carried out in 2015 under Development Consent No. 2011/1383 granted by the Land and Environment Court on 27 September 2013, and in accordance with the Office of Environment & Heritage (OEH) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales.</p> <p>On archaeological grounds the site contains evidence that is neither rare nor unusual in a local context and is a less diverse and lower density artefact assemblage than other investigated Aboriginal sites in the local area. Nonetheless, it is evidence of a facet of the local Aboriginal past that complements the more substantial evidence derived from these other sites in the broader Sandon Point area. For this reason, MDCA recommended that the most intact and densest portion of the site should be preserved, and the artefacts retrieved from the test excavations should be reburied within the footprint of one of the pits excavated within this area. In order to reflect this recommendation, the Concept Plan was modified to exclude the sensitive archaeological area from the development footprint such that it can be preserved. This is reflected in the black hatched section of the Concept Plan Drawings at Appendix B.</p> <p>The remainder of Sturdee Avenue OC1 is very sparse and discontinuous and in the opinion of MDCA does not warrant preservation on archaeological grounds. As such, it is not considered warranted to extend the footprint of the nominated sensitive archaeological area. Notwithstanding this, when development proceeds MDCA recommend that a National Parks & Wildlife Act (1974) s90 Aboriginal Heritage Impact Permit (AHIP) is sought to allow partial impact to this portion of Sturdee Avenue OC1 (AHIMS # 52-2-4239), while preserving the remainder of the site.</p> <p>In order to manage the construction impacts on the designated area, MDCA has outlined appropriate measures within the response letter at Appendix G. These measures are derived from the recommendations contained within the ACHAR. The preserved portion of the site will be fenced and secured during the construction phase. The type of fencing should be sufficient to avoid vehicle incursion and disturbance.</p> <p>On site construction workers would be given an Aboriginal Cultural Heritage Induction to ensure a full understanding of the importance of Aboriginal sites. Those properties abutting the site will require monitoring by the ILALC during their construction to ensure there is no encroachment on the site, by vehicles or other investigative consultants. Consultation with the Illawarra LALC will be essential during this phase.</p> <p>The management of the construction impacts would form part of an Aboriginal Heritage Management Plan which can be appropriately conditioned to be delivered with the detailed DA's for the site.</p>	<p>Appendix B</p> <p>Appendix G</p>

Key Issue		Response	Reference
WCC 4I	<p>The following comments are made in relation to the South Precinct:</p> <ul style="list-style-type: none"> This precinct has the highest density and the overall reduction in total floor area is noted. However, the proposal is not in keeping with the character of the locality. Concerns are raised over the height. The EAR description (up to 3 storeys) is at odds with the concept architectural plans which show above ground basement parking which is not supported and not in keeping with SEPP 65 quality design principles. There is a lack of information regarding the number of visitor parking for this precinct due the potential number of units to be built within the 12 buildings. Lack of adequate visitor and resident parking will put pressure on the local road network and nearby residential roads. There also appears to be insufficient communal open space given the number of buildings/units within the development. 	<p>Amended Concept Plans have been prepared by JSA and are provided at Appendix B. The amended Concept Plans are now consistent with the level of detail presented on the approved Concept Plans.</p> <p>JSA have supplemented the amended Concept Plans with additional design studies as indicative plans only to satisfy the SEARs in relation to demonstrating a workable future built form. All subsequent detailed Development Applications pertaining to residential dwellings will resolve issues in relation to private open space accessibility, privacy and building separation.</p>	Appendix B
WCC 4K	<ul style="list-style-type: none"> The proposal must have consideration to practical mitigation measures for rail noise or vibration recommended by Rail Corporation New South Wales. 	Noted. Further detailed acoustic and vibration studies will be carried out with the detailed Development Applications and acoustic attenuation measures will be implemented accordingly.	
5. Heritage			
WCC 5A	<p>The proposed modification has been assessed with respect to potential heritage impacts as required under Clause 5.10(3) of the Wollongong DCP 2009 and Chapters E10: Aboriginal Heritage and E11: Heritage Conservation of the Wollongong LEP 2009.</p> <ul style="list-style-type: none"> Council acknowledges the very high Aboriginal Cultural Significance of the site and surrounding areas including Sandon Point Aboriginal Place. 	Noted.	
WCC 5B	The proposed development will impact on sites of Aboriginal Cultural Significance and Aboriginal Objects and that these impacts should be carefully considered and managed in consultation with the Local Aboriginal Community and the Office of Environment and Heritage	Noted. In response a Heritage Impact Statement was prepared by Mary Dallas Consulting Archaeologists (MDCA) and was submitted as Appendix T of the EAR. MDCA has prepared an Addendum Cover Letter responding to the submissions raised and this is provided at Appendix G .	Appendix G
WCC 5C	It is noted that the Illawarra Local Aboriginal Land Council and other Aboriginal Parties have expressed ongoing concern and made requests for additional archaeological assessment of the site in their written responses to the Aboriginal Cultural Heritage Assessment Report. These responses should be carefully considered in consultation	Noted. In response a Heritage Impact Statement was prepared by MDCA and was submitted as Appendix T of the EAR. MDCA have prepared an Addendum Cover Letter responding to the submissions raised and this is provided at Appendix G .	Appendix G

	Key Issue	Response	Reference
	with the Office of Environment and Heritage in finalising the assessment of the modification.		
WCC 5D	The proposed amendments to the concept plan include development on areas found to contain Aboriginal Archaeological Sites and extend into areas of relatively dense archaeological concentrations. These impacts should be carefully considered and explored. Council notes that the constructability of development and access roads within the "Ocean View Precinct" have the potential to create significant archaeological impacts due to the proximity, and slope of the site, on the fringe of the identified core archaeological zone. It appears likely that in order to construct the proposed subdivision and create buildable allotments on the fringe of this core conservation area, that there will be significant development impacts that arise from any progression of the concept as approved or proposed. More details about required grades and levels should be sought before consideration is given to approval of development this close to the core significant area. Consideration should be given to removing development from the south east of the loop road within this precinct to lessen the impact on the significant areas. It is not appropriate to leave this to a later stage in the assessment process of any subsequent development application.	Refer to the response under WCC 4H.	
WCC 5E	Careful consideration should be given to the future ownership and management arrangements relating to any conserved items of heritage (Aboriginal or otherwise) as these sites will require ongoing management and conservation into the future. Council will not accept ownership.	Anglicare will retain ownership and management of the Aboriginal Archaeological sites. Notwithstanding this, Anglicare is seeking to engage parties interested in the future ownership and management of this site. Refer to Section 2.10 of the PPR for further details.	
WCC 5F	Any future AHIP will need to give careful consideration to these ongoing management arrangements and responsibilities and ensure that the land can be practically managed into the future (including necessary bush care works/veg management/plantings etc).	Noted.	
WCC 5I	Careful consideration should be given to the wording of conditions and requirements relating to Aboriginal Heritage Interpretation and artefact reburial etc. to ensure that the Aboriginal Community have input to these processes in a transparent and workable arrangement.	Noted.	

	Key Issue	Response	Reference
	The ILAC has requested that stronger recognition of Aboriginal Heritage values of the site be integrated into any future consent granted.		
WCC 5J	Consideration should be given to renaming the “Ocean View Precinct” as this name implies that these sites are entitled to and able to retain their views into the future. It is noted that Vegetation Vandalism on the adjacent land has been a significant concern for the Aboriginal Community and Council and these impacts need to be controlled.	All precincts have been renamed as set out below: <ul style="list-style-type: none"> Precinct 1 (formally Central Precinct), Precinct 2 (formally Hilltop Precinct) and Precinct 3 (formally Ocean View Precinct). 	Appendix B
WCC 5K	Council encourages the department to ensure proactive consultation with the Aboriginal Community in the finalisation of the application.	Noted.	
6. Stormwater			
WCC 6A	This application has been assessed in accordance with Chapters E13 and E14 of the Wollongong DCP 2009 and the following comments are provided: <ul style="list-style-type: none"> The proposed concept layout requires filling and re-aligning of an existing watercourse channel and culvert (i.e. upper portion of Cookson’s Creek) to facilitate the southern-most four units of the Hilltop Precinct. This proposal is contrary to Section 10.3.7 of Chapter E14 of the Wollongong DCP2009. Also, the proposal to re-align a watercourse/culvert/overflow path with a near 90 degree bend is considered contrary to good floodplain management practice. These four units need to be removed from the proposal in order to maintain the existing watercourse and negate the need for any watercourse filling/re-alignment. 	These 4 units have been removed from the layout and the TUFLOW model and the report has been updated accordingly as shown at Appendix E .	Appendix E
WCC 6B	<ul style="list-style-type: none"> The proposal includes filling and a sound/flood barrier along the western boundary of the property, which will obstruct overland flows and floodwater flows entering the site. This outcome is also evidenced by the submitted flood modelling, which shows significant flood level increases on the adjoining land as a result of the design. This proposal is contrary to Performance Criteria 6.4.2(d) of Chapter E13 and Section 11.3.17 of Chapter E14 of the Wollongong DCP2009. The concept plan and flood modelling needs to be amended to demonstrate acceptance of overland flows and floodwater flows onto the site in a way that replicates existing conditions, and management of these flows in a way that ensures no 	<p>Cardno has provided the following response, also set out within the Revised Flood Impact Assessment at Appendix E.</p> <p>It is noted that impacts would be anticipated as a result of a proposed development within a floodplain. However, these impacts can be alleviated to an acceptable limit. The flood maps attached to our previous study shows that no impacts in the surrounding properties are predicted as a result of the proposed development in flood events up to 100 year ARI design events. Some impacts are expected in rail corridor in PMF.</p> <p>However, this is not expected to impact on the rail formation or estimated time of submergence. Also, some impacts are predicted within the southern boundary, which is contained within the riparian corridor.</p>	

Key Issue		Response	Reference
	diversion of floodwater and no increase in flooding elsewhere. It appears that engineered measures will be required within the site to accept and convey the contributing flows, and adequate space will need to be set aside in the concept plan to facilitate these measures.	However, WCC requires the proposal be modified to be more consistent with the existing flood behaviour, which is compromised by the proposed diversion of flows away from Cookson Creek to facilitate 4 units and proposed installation of sound barrier. As a result, further modifications to the layout, sound barrier and the drainage system was applied to achieve a development flood behaviour which is more consistent with existing case in this submission. This included the deletion of the 4 units and incorporation of a gap to the sound barrier wall. The flood model, maps and report were updated accordingly as contained within Appendix E .	
WCC 6C	<ul style="list-style-type: none"> The concept stormwater plan includes works outside the site within the adjoining land (Lot 500 DP 1161858). Owners consent and an easement to drain water over the adjoining land (in accordance with Section 11.3.6 of Chapter E14 of the Wollongong DCP2009) would be required to facilitate this work. 	The concept drainage plan was updated to remove the works outside the site. Refer to concept drainage plan at Appendix E .	
WCC 6D	<ul style="list-style-type: none"> The proposed road off Wilkies St (between Wakefield St and Craven St) is in conflict with an existing stormwater pit. The existing system will need to be modified and a new pit will need to be constructed by the developer as part of the works, to ensure design function of the system is maintained. 	The existing drainage in Wilkies Street was updated to avoid clash with the access road. Refer to concept drainage plan at Appendix E .	
WCC 6E	<ul style="list-style-type: none"> It is unclear why On-site Stormwater Detention (OSD) is proposed. As the site is located within an OSD concession zone and runoff from the site discharges directly to receiving waters without passing through intervening property, OSD is not required for this development. However, measures to address water quality are supported subject to further detail. 	OSDs are removed from the concept drainage plans as shown at Appendix E .	
7. Traffic			
WCC 7A	The development should be designed to accommodate residential and visitor parking as required by Council's Development Control Plan.	The detailed design in subsequent Development Applications will be required to demonstrate appropriate parking provision to service the development.	
WCC 7B	There are concerns over the proposed 'terrace style' housing located along Wilkies Street and Geraghty Street. These dwellings will result in multiple driveway access points across the existing Wilkies Street shared path and future Geraghty Street shared path which will result in increased vehicular and pedestrian conflict and safety issues. It should be noted that Wilkies Street is popular with families with children heading to and from the coastal cycle path and beach areas.	In response to this, the Concept Plan has been amended to minimise primary frontages to Wilkies Street and Geraghty Street. Specifically, the road layout has been reconfigured to provide internal circulation roads that will allow future dwellings the opportunity to facilitate driveway access from the internal circulation roads.	Appendix B

Key Issue		Response	Reference
WCC 7C	In view of the above, the applicant should redesign the development to remove the multiple vehicular crossing points to improve pedestrian/cyclist priority and safety, which would also reduce impacts on public street parking.		
WCC 7D	The modified Ocean View Precinct layout allows waste collection to occur from within the proposed new roads rather than along Wilkies Street. However, for this to be accepted, the turning head at the end of the proposed cul-de-sac connecting with Wilkies Street would need to be designed to accommodate the 3-point turn of a refuse collection vehicle.	The road layout has been amended to provide an internal perimeter road as illustrated on the modified Concept Plan at Appendix B . A Traffic Impact response has been prepared by TTPA and is provided at Appendix M . Appropriate swept path assessments have been undertaken using 12.5m HRV across the internal road network. Details of the assessment clearly demonstrate the ability for the HRV (i.e. longer than Council's refuse vehicle of 10.2m) to navigate the amended road network without conflict.	Appendix B Appendix M
WCC 7E	A cul-de-sac is also proposed for the Independent Living Units which would need to be designed with a minimum turning head radius of 12.5 metres to allow waste and service vehicle to turn and exit in a forward direction. Swept paths for the design vehicle (largest anticipated vehicle) must be provided through the full extent of the site.	Refer to the response at WCC 7D above.	Appendix B Appendix M
WCC 7F	The grade difference in the north east corner of the site where internal roads are proposed may need to be raised to provide compliant grades and adequate sight distance so that drivers are aware of passing pedestrians, cyclists and vehicles. The filling of land in this area would require batters which could impact on adjacent forest or aboriginal areas. As mentioned above, this corner of the existing McCauley's development to the north is the beginning of a well-used shared path boardwalk which connects into the coastal cycle path. Therefore, if an intersection is to be proposed in this area, the applicant will need to demonstrate how the priority and safety of pedestrians and cyclists can be maintained.	TTPA has provided the following response, also set out within the Traffic Impact Assessment at Appendix M . TTPA note that the road design is currently at the conceptual stage and matters relating to road grades are the subject of detailed civil design. Notwithstanding this, preliminary advice provided by the Civil Consultant indicates that the design provision will be capable of complying with the AS and Austroad's limitations.	Appendix M
WCC 7G	Consideration should be given to making provision for vehicular and pedestrian access from the proposed road at the eastern part of the Ocean View area to Wilkies Street. This could facilitate future access to Sydney Water Land at Lot 1 DP 588060 and privately held land at Lot 101 DP 268549. Council has held preliminary discussions with both parties in relation to this matter.	Anglicare has engaged the proponent of the proposed development on this site. The provision of this access road is subject to further discussions, and if viable, it will be included within the scope of a future Development Application.	

Key Issue		Response	Reference
WCC 7H	The EAR (p37) also shows a “proposed additional pedestrian riparian crossing”. This crossing is over Lot 500 DP 1161858 owned by Stockland (owner’s consent required) and appears to connect to the proposed development to the cycle way on Council owned land to the east. The EAR indicates that the land is zoned 2b, but it is zoned E2.and traverses riparian lands. Further details are required with regard to any design having consideration to the following; heritage, environment, flooding and equitable access. It is requested that any approval incorporate conditions requiring that any such crossing be constructed as by Anglicare and not by Stockland or Wollongong City Council.	This crossing has been deleted in the revised scheme.	Appendix B
WCC 7I	Any adjustments to the design with regard to the above should have consideration to the heritage, stormwater and landscape issues raised.	Noted.	
8. Landscape			
The application has been assessed in accordance with the SEPP Seniors Living, WDCP 2009 Chapters B1 and E6:			
WCC 8A	The proposed development is situated between two large residential subdivisions that link to the local foreshore and greater localities of Thirroul and Bulli. It is critical that the walkability and access of the precinct is retained by enhancing and making further provision for pedestrian safety and amenity.	Noted. The Concept Plan has considered pedestrian links whilst also balancing the ecological and historical sensitivities of the site. The modified proposal maintains a shared path along Geraghty Street (2.5m wide) and provides pedestrian paths through the precinct. Pedestrian paths will also be provided through the Turpentine Forest. The exact location of these will be determined with the detailed development applications and will be designed to ensure larger mature Turpentine Trees are protected and minimal environmental impact. A new commitment is proposed which requires the provision of these studies with the relevant detailed Development Applications as detailed at Appendix D .	Appendix D
WCC 8B	Although the Concept Master Plan by Turf Design Studio indicates street trees and pathways, this is contradicted by the section of the site nominated as the Hill Top Precinct, the proposed terrace houses that front Wilkie and Geraghty Streets. Multiple driveway crossings will traverse the nominated shared paths that service access to McCauleys Beach and links to Sandon Point. In addition to creating a dangerous environment for pedestrians and cyclists, this driveway arrangement cannot accommodate street tree planting as trees would affect the required sight lines. Multiple driveways into medium density developments are not supported by Council. Refer DCP 2009 Chapter B1 section 5.6.	In response to this, the Concept Plan has been amended to minimise primary frontages to Wilkies Street and Geraghty Street. Specifically, the road layout has been reconfigured to provide internal circulation roads that will allow future dwellings the opportunity to facilitate driveway access from the internal circulation roads.	Appendix B

Key Issue		Response	Reference
WCC 8C	It is suggested that the dwelling footprints be reduced and car parking be accommodated from a laneway at a lower level offline from Wilkie and Geraghty Streets.		
WCC 8D	There are multiple road crossings proposed to access the Ocean View Precinct, these will traverse the shared path situated on a steeply graded hill that will likely cause pedestrian/cyclist conflicts with motor vehicles.		
WCC 8E	Cut and fill to achieve the proposed access roads and dwellings will be significant and may adversely impact upon the existing Turpentine Forest and the area of Aboriginal Heritage Significance. Retaining walls must be designed to mitigate visual impacts and allow feasible maintenance access.	Cardno have highlighted the proposed retaining wall locations and their approximate levels. Refer to bulk earthwork plan at Appendix F . The detailed design of the retaining walls will be developed to ensure it mitigates visual impacts and allows for feasible maintenance access.	Appendix F
WCC 8F	<p>A Landscape Concept Plan is to address all areas of the site and include the following:</p> <ul style="list-style-type: none"> Street trees should be shown at 10m – 12m centres, with species that have a minimum mature height of 8m – 15m. Shared pathways are to be 2.5m wide and pedestrian paths 1.5m wide. Design parameters for embankments are to be no steeper than 1:3 for mulched garden area and 1:6 for turf areas. <p>Provision to formalise and upgrade the existing pathways through the Turpentine Forest will allow recreation for residents should be considered subject to any heritage requirements.</p>	A revised Landscape Concept Plan has been prepared by Turf Design Studio and is provided at Appendix L . The detailed landscape design will be resolved in subsequent Development Applications.	Appendix L

Key Issue		Response	Reference
9. Environment			
Biodiversity and Riparian Corridors			
WCC 9A	<p>It's likely there will be direct and indirect impacts to the Turpentine Forest during construction and operation of a future development. It's likely there will be direct and indirect impacts on vegetation in Lot 500 DP 1161858 (Stockland land) during construction and operation of a future development.</p>	<p>Cumberland Ecology has provided the following response, also set out within the Ecology Cover Letter at Appendix H.</p> <p>As stated in Section 1.1 and Section 1.3.3 of the BDAR, the SEARs for Flora and Fauna specifically state</p> <p><i>"Assess any additional biodiversity impacts associated with the proposal, including any additional impacts on adjoining areas".</i></p> <p>As outlined in Section 1.3.2 of the BDAR, under the approved Concept Plan, development of the Anglicare land largely avoided the E2 zone. However, some works in E2 zoned land such as creek crossings over Cooksons Creek and Tramway Creek, creation of a weir within Cooksons Creek and associated pond to the west of the weir for flood management and drainage purposes as well as pathways through the Turpentine Forest were approved.</p> <p>The Turpentine Forest is fully contained within E2 zoned land. It is acknowledged that the approved works in the E2 zoned land may result in some direct impacts upon the Turpentine Forest. However, the current modification application does not increase the footprint of these works and therefore has not been addressed in detail in the BDAR as it does not comprise an 'additional impact'. Similarly, as the outermost extent of the development precincts within R2 zoned land remains unchanged from that of the approved Concept plan, potential indirect impacts on the adjacent E2 zone (including E2 zoned land contained within Lot 500 DP 1161858) also remain unchanged from those of the original concept plan and are not addressed in detail in the BDAR as they do not form 'additional' impacts.</p> <p>As stated throughout the BDAR, the assessments comprise a high level or preliminary assessment of potential impacts on biodiversity based on high-level concept plans. Further assessments in the form of future BDARs will be prepared at the development stages which will assess any potential direct and indirect impacts on the Turpentine Forest based on detailed designs.</p> <p>Similarly, Lot 500 DP 1161858 (Stockland Land) largely lies within E2 zoned land of Tramway Creek, for which creek crossings have been approved under the Concept Plan. While it is acknowledged that the works for these crossings will result in direct and indirect impacts within Lot 500 DP 1161858, these works are not proposed to be modified from that of the approved Concept Plan and therefore have not been addressed in the BDAR as they do not comprise 'additional impacts'. Further assessments on the direct and indirect impacts in the form of a BDAR for works within Lot 500 DP 1161858 will be prepared as required at the development application stages.</p>	Appendix H

	Key Issue	Response	Reference
WCC 9B	<p>It is clear that Anglicare has committed to consultation with interested parties on the future ownership of the Turpentine Forest and riparian corridor. It is unclear if the Natural Resources Access Regulator considers the Anglicare Site:</p> <ul style="list-style-type: none"> Sturdee Avenue, Bulli Vegetation Management Plan by Cumberland Ecology (2018a) to be satisfactory and therefore the envisaged outcomes will be realised to the fullest extent possible. Furthermore, it is unclear if the proposed 'defendable space to the Turpentine Forest and riparian areas rather than a specific APZ', remains acceptable to the NSW RFS for the current and proposed modification. The implications for this are that there is uncertainty: The biodiversity impact assessments in the Biodiversity Development Assessment Report (BDAR) by Cumberland Ecology (2018), which has relied on a recommend 'a 6 m defendable zone' for bushfire protection in the Peterson Bushfire (2018) report, are complete. The outcomes envisaged in the Anglicare Site: Sturdee Avenue, Bulli Vegetation Management Plan by Cumberland Ecology (2018a) will be realised to the fullest extent possible. 	<p>Cumberland Ecology has provided the following response, also set out within the Ecology Cover Letter at Appendix H.</p> <p>As the current proposal is a modification to a high level Concept plan approval, the BDAR and VMP are considered to be preliminary assessment documents or 'Masterplan' documents to provide an overarching guiding framework for ecological matters that require assessment at future development application stages.</p> <p>Although the current VMP is a high-level Masterplan document, the general ecological requirements for a Vegetation Management Plan as outlined in the Department of Primary Industries – Office of Water's 'Guidelines for vegetation management plans on waterfront land' have been addressed. In particular, Table 8.1 of the VMP includes performance criteria which must be followed in order to achieve a complete outcome.</p> <p>While it is acknowledged that some amendments, such as adjustments in the layout of vegetation management zones, may be required once detailed design and layout of approved structures within the E2 zone are available and a Controlled Activity Approval application for works is prepared, it is considered that the overarching framework for rehabilitation of vegetation and riparian corridors within E2 zoned land outlined in the current 'Masterplan' VMP will satisfy the Natural Resources Access Regulator (NRAR) requirements. Given the E2 zone, that is encapsulated within the VMP, currently receives no active management and is infested with exotic weeds such that it does not conform to any recognisable native vegetation community, the implementation of the VMP is expected to result in a positive biodiversity outcome for this area.</p> <p>Based on documentation from Peterson Bushfire for the Response to Submissions (Appendix K), it is Cumberland Ecology's understanding that the RFS are satisfied with the 6m defendable zone for bushfire protection and the biodiversity impacts assessed in the BDAR are therefore complete based on the 6m defendable zone. Additionally, the defendable space will continue to be situated in the R2 zone and will thereby avoid the encroachment of the defendable space into the E2 zone, minimising impacts to the Turpentine Forest and riparian areas.</p>	<p>Appendix H</p> <p>Appendix I</p>
10. Bulk Earthwork			
WCC 10A	<p>The Concept Bulk Earthworks Layout Plan Drawing Number Revision 82018138-001-SK010 by Cardno (2018a) by Cardno (2018) is noted. The plan clearly shows cut and fill on the southern boundary of the subject site to Lot 500 DP 1161858 which is owned by Stockland and proposed for dedication to Council. Any future Bulk Earthworks Layout Plan prepared for a development application must include the detail of the cut and fill to reflect the proposed Sandon Point Drive connection and Tramway Creek road bridge and having consideration to heritage, environment, flooding and equitable access matters.</p> <p>It is requested that any approval incorporate conditions requiring that any such crossing be constructed as by Anglicare and not by Stockland or Wollongong City Council.</p>	<p>Cardno has provided the following response, also set out within the Revised Flood Impact Assessment at Appendix E.</p> <p>The Bulk Earthworks extent has been contained within the site boundary. Cardno have included the southern boundary on SK012 (Appendix F) to help highlight the extent of earthworks within our boundary.</p>	<p>Appendix E</p> <p>Appendix F</p>

	Key Issue	Response	Reference
11. Flood Impact			
WCC 11A	<p>The proposed onsite detention and water quality basins and gross pollutant traps are clearly depicted in Figure 5-1 Drainage Concept Plan. The flood impact assessment has proposed constructed elements in the riparian zone on Lot 500 DP 1161858. In addition, the following content is noted from Councils Stormwater Referral:</p> <ul style="list-style-type: none"> <i>The concept stormwater plan includes works outside the site within the adjoining land (Lot 500 DP 1161858). Owners consent and an easement to drain water over the adjoining land (in accordance with Section 11.3.6 of Chapter E14 of the Wollongong DCP2009) would be required to facilitate this work.</i> <i>Any changes to vegetation densities within the floodplain as a result of these works may require additional flood modelling in order to accurately reflect the post development flood conditions.</i> <i>It is unclear why On-site Stormwater Detention (OSD) is proposed. As the site is located within an OSD concession zone and runoff from the site discharges directly to receiving waters without passing through intervening property, OSD is not required for this development. However, measures to address water quality are supported subject to further detail</i> 	<p>OSD was removed from the proposed development concept as shown at Appendix F. All of the outlets from the site drainage are shown within the proposed development site. Only the drainage from the proposed road is discharging within the Tramway Creek. This will need to be connected to the future bridge or the road. It is not viable to connect the road drainage to the site drainage and discharge it within the site.</p>	Appendix F
12. Ecology			
WCC 12A	<p>As noted in numerous sections of the Cumberland Ecology (2018b) BDAR the survey effort is incomplete and 'further assessments will be required at the development application stages when further detailed design is available.' In addition, the BDAR acknowledges that further detailed assessment of direct and indirect impacts according the Biodiversity Assessment Method (OEH 2017) 'will be required' in support of future development applications. The preliminary status of the BDAR is reinforced by Councils observations of:</p> <ul style="list-style-type: none"> The current uncertainties in relation adequacy of the proposed 'defendable space' bushfire hazard management. Council will not accept any bushfire restriction over its any of its lands. 	<p>Cumberland Ecology has provided the following response, also set out within the Biodiversity and Vegetation Management Cover Letter at Appendix H.</p> <p>Cumberland Ecology agrees that the BDAR is preliminary and further assessments and surveys will be required at the development application stages. Regarding Council's observations:</p> <ul style="list-style-type: none"> As previously stated in our response to WCC Item 2, Peterson Bushfire has in their Response to submissions that the RFS are satisfied with the 6m defendable zone for bushfire protection. It is Cumberland Ecology's understanding that the current Anglicare Property is within land that is not mapped as bushfire prone land by Council. Any future incorporation of a pedestrian footpath will give due consideration to heritage areas and be assessed accordingly. However it should be noted that the approved Concept Plan allowed for pathways through the Turpentine Forest 	Appendix H

	Key Issue	Response	Reference
	<ul style="list-style-type: none"> A pedestrian path is likely to be proposed in the 'Turpentine Forest' in future development applications and will be subject to heritage considerations (Anglicare should retain ownership and management of this land. Council will not accept ownership). <p>Infrastructure to support the development is proposed on Lot 500 DP 1161858 involving the direct impact of clearing of vegetation, and associated indirect impacts, and these have been overlooked by Cumberland Ecology.</p>	<ul style="list-style-type: none"> Cumberland Ecology disagrees with Council's observation that impacts on Lot 500 DP 1161858 have been overlooked. As previously stated in our response to WCC Item 1, the BDAR prepared by Cumberland Ecology focussed on assessing "any additional biodiversity impacts associated with the proposal, including any additional impacts on adjoining areas" as required by the SEARs. Therefore all items previously approved as part of the Concept Plan that are not proposed to be modified have not been included in the BDAR as they do not comprise 'additional impacts'. It is acknowledged that the infrastructure on Lot 500 DP 1161858 will support the Anglicare development. However these works have already been approved as part of the Concept plan and are not proposed to be modified from that of the approved Concept Plan. Therefore have not been addressed in the BDAR as they do not comprise 'additional impacts'. The BDAR, however has been amended to include an acknowledgement of the supporting infrastructure and its current approval under the Concept Plan. 	
WCC 12B	<p>It should be noted that Council's position is that PCT Coastal freshwater lagoons of the Sydney Basin Bioregion and South East Corner Bioregion corresponding to the BCT Act threatened ecological community (TEC) Freshwater Wetlands on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions is present on the subject site and adjoining areas. The presence of this PCT/TEC generally corresponds to mapping in the Illawarra Plant Community Type Vegetation Map, 2016. VIS_ID 4678 by OEH (2016). The Biodiversity Conservation Act TEC present in Cookson's Creek and Tramway Creek on the subject site forms a part of a larger area of this vegetation extending east into adjoining Lot 500 DP 1161858 and is also present in the remainder of Tramway Creek on the southern boundary. In addition to the State Government's SEPP (Coastal Management) 2018 Coastal Wetland mapping, Council's position on the presence of the Biodiversity Conservation Act TEC present in Cookson's Creek and Tramway Creek is supported by the Cumberland Ecology (2018a and 2018b) reports which:</p> <ul style="list-style-type: none"> <i>State the areas within the Anglicare Property mapped as Coastal Wetland occurs within the E2 zone.</i> <i>State the coastal wetlands 'will be managed and enhanced under a VMP'.</i> <i>Provide a commitment to 'active management under a VMP and will serve as a buffer between the development and wetlands'.</i> <i>The mapping in Figure 3.1 of Anglicare Site: Sturdee Avenue, Bulli Vegetation Management Plan by Cumberland Ecology (2018a) which highlights Zone 3: Freshwater Wetlands</i> 	<p>Cumberland Ecology has provided a detailed within the Biodiversity and Vegetation Management Cover Letter at Appendix H.</p>	Appendix H.

	Key Issue	Response	Reference
WCC 12C	<p>The correspondence between Cumberland Ecology and OEH on the matter of MU 56a Acacia Scrub is noted including the observation by OEH that:</p> <ul style="list-style-type: none"> Any attempt to adjust local benchmark values to support 'reduction to zero credits' is not justifiable. Consistent with the BC Act 'ultimately, the consent authority is the one who has to make that decision'. 	<p>Cumberland Ecology has provided the following response, also set out within the Biodiversity and Vegetation Management Cover Letter at Appendix H.</p> <p>Cumberland Ecology recognises that Council has noted the correspondence between Cumberland Ecology and OEH regarding the Acacia Scrub. As detailed in our response to the OEH submission (1): While Cumberland Ecology accept that complete removal of Acacia longifolia ssp sophorae is not justified as it can provide potential foraging habitat for native species, we do not accept the complete inclusion of the Acacia longifolia ssp sophorae species as per recorded on-ground plot data into the BAM credit calculations as this would result in a perverse outcome that does not take into consideration the community composition of the PCT or species naturally occurring therein.</p> <p>Given that the difference between the two scenarios provided in the BDAR strongly indicate that the credit liability for the clearing of the PCT appears to largely be driven by the presence and density of Acacia longifolia ssp sophorae, a species which is not diagnostic of the PCT and that has invaded the area due to historical clearing activities and a lack of management over the past decade, we believe some adjustment to on-ground plot data to determine credit liability is warranted.</p> <p>As stated in Section 4.2.4 of the BDAR, further consultation with OEH is required to determine a suitable adjustment which will allow for inclusion of habitat value potential of Acacia longifolia ssp sophorae while considering the deviation of structure and composition from that of the 'best-fit' PCT utilised. The agreed adjustment would be conveyed to the consent authority before it is utilised for any future BDARs at the detailed design/development application stages to determine a final credit liability for the removal of the vegetation.</p>	Appendix H
WCC 12D	In adopting the 'precautionary principle' which characterises ecologically sustainable development and is relied on in the Ethos Urban (2018) report, the surveys and biodiversity impact and SEPP (Coastal Management) 2018 assessments by Cumberland Ecology (2018b) are considered to be preliminary.	The incorporation of Environmentally Sustainable Development (ESD) principles into the proposal has been considered at a preliminary level. The ESD principles will continue through the detailed design.	
13. Vegetation Management Plan			
WCC 13A	<p>Consistent with the Cumberland Ecology (2018b) BDAR, the VMP by Cumberland Ecology (2018a) is considered to be preliminary and only indicative in view of the following:</p> <ul style="list-style-type: none"> It has been prepared on the basis of proposed 'concept' development as opposed to detailed proposed development which would be articulated in future development applications. There are uncertainties in relation adequacy of the proposed 'defendable space' bushfire hazard management. The Natural Resources Access Regulators are yet to provide feedback on the adequacy of the VMP. 	<p>Cumberland Ecology has provided the following response, also set out within the Biodiversity and Vegetation Management Cover Letter at Appendix H.</p> <p>Cumberland Ecology agrees that the VMP is preliminary and will require further revisions when submitted in support of future DAs. In response to Council's points we provide the following:</p> <ul style="list-style-type: none"> Cumberland Ecology agrees that the VMP has been prepared on the basis of a proposed Concept Plan rather than a detailed DA and will be revised and submitted for approval based on future DAs. The RFS has determined that the defendable space is adequate for bushfire hazard management and recommends that the current bush fire requirements remain unchanged. The Natural Resources Access Regulators (NRAR) have responded to the modification of the Concept Plan and have not raised any issues with the VMP. We note that NRAR have stated that the revised Statement of commitments should include a commitment to form a remediation plan for Tramway Creek, 	Appendix H

Key Issue		Response	Reference
	<ul style="list-style-type: none"> A pedestrian path proposed in the 'Turpentine Forest' in future development applications. Infrastructure to support the development is proposed on Lot 500 DP 1161858 and this will involve the direct impact of clearing of vegetation, and associated indirect impacts, and these have been overlooked by Cumberland Ecology (2018b). <p>The current indicative VMP will require further revisions when submitted in support of future development applications.</p>	<p>Slackys Creek and Woodfords Creek. It should be noted that Tramway Creek, Slackys Creek and Woodfords Creek do not occur on Anglicare land although Cooksons Creek does connect with Tramway Creek. As identified in Section 1.2 of the VMP, management of these connected waterways by relevant landowners will need to be carried out concurrent with the management of the Anglicare lands in order for actions such as weed control to succeed.</p> <p>It should be noted that the approved Concept Plan allowed for pathways through the Turpentine Forest. Due consideration to heritage areas and biodiversity values will be given during the design phase and further assessments will be conducted as required once detailed designs and layouts are available.</p> <p>As previously stated in our response to WCC Item 3, Cumberland Ecology disagrees with Council's observation that impacts on Lot 500 DP 1161858 have been overlooked. As previously detailed, the infrastructure on Lot 500 DP 1161858 has already been approved as part of the Concept plan and does not form part of the current modification.</p> <p>It is agreed that the current VMP will require further revisions/updates for future development applications.</p>	
14. Contaminated Land Matters			
WCC 14A	<p>Consideration should be given to the requirements of SEPP 55 and WDCP 2009 Chapter E-20 Contaminated Land Management. In doing so, the applicant is required to submit a NSW EPA accredited site auditor's Interim Advice Letter stating that site auditor will be overseeing the site assessment, remediation and validation so that the land is suitable for the proposed future development. Further, upon completion of remediation and validation, the auditor will issue a Site Auditor's Statement (SAS) and Site Auditor's Report (SAR) to the Department prepared under the CLM Act 1997 confirming that site is suitable for the proposed development.</p>	<p>This detail will be provided with the detailed development application for Precinct 1. As no physical works are proposed under the Concept Plan this information is not required at this time.</p>	

Key Issue		Response	Reference
15. Other Matters			
Council understands the project approval pathway under the former Part 3A is no longer open to the applicant and any future proposal requires development consent under Part 4 of the EP&A Act.			
WCC 15A	Comments on the revised Statement of Commitments at appendix h of the EAR: <ul style="list-style-type: none"> 1 <u>Scope</u>: after ...August 2018 insert the words "as amended" 	Amendment made.	Appendix D
WCC 15B	<ul style="list-style-type: none"> 2 <u>design</u>: include references to SEPP55, SEPP Basix, Wollongong Local Environmental Plan 2009 and Wollongong Development Control Plan 2009. 	The commitment has been updated to reflect the relevant planning documents. The LEP and DCP are not applicable to the development.	
WCC 15C	<ul style="list-style-type: none"> 4 <u>Water management</u>: after ...August 2018 insert the words "as amended". With regard to onsite detention at the fourth bullet point, please consider the comments at section 6 above. 	Amendment made.	
WCC 15D	<ul style="list-style-type: none"> 12, 13, 14 <u>Cultural heritage</u>: after ...August 2018 insert the words "as amended" Further consultation and investigation is required as outline above under section 5 heritage (Illawarra Local Aboriginal Land Council and other Aboriginal Parties). 	Amendment made.	
WCC 15E	<ul style="list-style-type: none"> 16A <u>Cultural heritage</u>: after ...interpretive signage, insert "subject to Council approval". 	A commitment to consult with Council has been made.	
WCC 15F	<ul style="list-style-type: none"> 16B <u>Cultural heritage</u>: after ...heritage of the site, insert "subject to Council approval". 	Approval will be sought from the relevant consent authority at the relevant time.	
WCC 15G	<ul style="list-style-type: none"> 17 <u>Flora and fauna</u>: after...(VMP) insert "subject to Council approval". 	This is not necessary. The VMP will be approved by the relevant consent authority for the application.	
WCC 15H	<ul style="list-style-type: none"> 22 <u>Flora and fauna</u>: after ...parties insert "and Council for approval". 	The commitment has been amended such that the document will be referred to Council and the RAPs for comment.	
WCC 15I	<ul style="list-style-type: none"> 23, 24 <u>Flora and fauna</u>: Please refer to Ecology at section 9 above (bushfire restriction, credits). 	No amendments required.	
WCC 15J	<ul style="list-style-type: none"> 27, 28, 31 <u>Traffic and access</u>: these items should include a requirement that this is at no cost to Council and is subject to Council approval. 	Amendment made.	
WCC 15K	<ul style="list-style-type: none"> 39 <u>Social environment</u>: after ...design insert "subject to Council approval". 	Not necessary, the detailed design will be approved by the relevant consent authority for the detailed development application.	

Key Issue		Response	Reference
WCC 15L	<ul style="list-style-type: none"> <u>45 Planning agreement</u>: inappropriate to commit Council to any future planning agreements given that it may either pre-empt the outcomes of negotiations or not reflect the current state of negotiations between the parties 	This commitment has now been updated to reflect that the VPA is contingent on Council agreeing.	
WCC 15M	<ul style="list-style-type: none"> <u>47 Ecologically sustainable development</u>: Please refer to section 9 above 	No amendments required.	
WCC 15N	<ul style="list-style-type: none"> The EAR states that the bridge over Tramway Creek will be constructed by Anglicare but the statement of commitments is silent and does not reflect this. The bridge should be constructed by Anglicare at no cost to Stockland or Council and be subject to Stockland and Council approval. 	Anglicare is committed to building the bridge. The commitment has been updated.	

2.0 Public Submissions

The following table includes a response to the submissions provided by the public. In total 40 public submissions (including two petitions containing 1,045 signatures and 522 signatures) were received in response to the public exhibition of MP 06_0094 Mod 5. The key issues identified have been categorised in the following table accompanied by the proponent's corresponding response in the right-hand column. The proponent's responses have been informed by input by the expert consultant team and should be read in conjunction with the publicly exhibited Environmental Assessment Report and accompanying technical reports, as well as the Preferred Project Report to which this document is appended.

Issue Raised	No. Submissions	Comment/Design Response
Traffic and Vehicle/Pedestrian Access		
Anglicare has not provided an accurate assessment of the road network and vehicular connectivity, site coverage, character and scale.	11	<p>The Applicant does not support this statement for the following reasons:</p> <ul style="list-style-type: none"> The Environmental Assessment Report (EAR) was accompanied by a Traffic Impact Assessment prepared by Transport and Traffic Planning Associates (TTPA). TTPA has undertaken a comparison of the approved and proposed schemes and the modified development has the potential to generate an additional 13 vehicle trips per hour (VTPH) in the AM peak and an additional 7VTPH in the PM peak. TTPA conclude that this very minor increase in generated traffic would be quite imperceptible when it is distributed in 2 directions along Geraghty Street and that the proposed development could be accommodated without adverse impact. JSA has undertaken a site coverage comparison of the approved and proposed schemes. This confirms that the proposal decreases the total site coverage, as detailed at Section 3.1 of the Preferred Project Report (PPR). The proposal reduces the scale and density of development on the site and creates a more appropriate built form transition by providing the larger scale RACF and apartment buildings at the low point of the site at Precinct 1 and including low scale multi-dwelling housing within Precinct 2 and 3. The detailed design will ensure the future developments architecture will be compatible with the existing character of the area.
Anglicare has not maintained perimeter roads around their proposed development (and has completely encroached on these perimeter roads due to providing no internal roads to cope with vehicular traffic in their proposed development).	9	In response to this, the road layout has been amended to provide perimeter roads within Precinct 2 and Precinct 3. This is illustrated at Appendix B and further discussion is provided at Section 3.2 of the PPR.
Anglicare has not provided an indicative layout to accommodate the revised built form and has in fact significantly deleted an important part of the original road network ie Cooksons Creek vehicle Bridge	11	<p>The modification application was accompanied by amended Concept Plans contained within a Design Report. The public's concerns specifically relate to the indicative design studies rather than the proposed Concept Plan. For clarity, it was never intended that the indicative designs would be approved. Rather, this information was provided to satisfy the SEARs in respect of residential amenity. Accordingly, the scope of the modifications sought for approval relate only to those illustrated on the modified Concept Plans provided at Appendix B.</p> <p>The proposal replaces the Cooksons Creek vehicle crossing with a pedestrian boardwalk. This will minimise the environmental impact on the sensitive riparian corridor and TTPA confirm that the proposed road layout can accommodate the future development without adverse impact.</p>

Issue Raised	No. Submissions	Comment/Design Response
Anglicare does not maintain any permeability through the site and do not maintain any of the current safe linkages/connections to the beach	9	<p>The road network is highly constrained by the site's topography, the Turpentine forest and Cookson's Creek. Notwithstanding this, the amended Concept Plan maintains an appropriate vehicle and pedestrian network that includes:</p> <ul style="list-style-type: none"> • Retention of Geraghty Street north south local road; • Retention of vehicular access off Sandon Point Drive to the south west corner of the site including a bridge across Tramway Creek; • Provision of an additional local road connection within Precinct 1; • Provision of additional perimeter roads within Precinct 2 and Precinct 3; and • Replacement of the vehicle crossing over Cookson's Creek with a pedestrian board walk. <p>The modified proposal maintains a shared pedestrian path along Geraghty Street and provides for pedestrian paths through the precinct. Pedestrian paths are also envisaged through the Turpentine Forest to maximise site permeability.</p>
Anglicare's proposed changes include in excess of 12 driveways crossing Wilkies Walk along Wilkies Street, which is the current safe pedestrian/cycle way and east/west link to the beach.	20	In response to this, the Concept Plan has been amended to minimise primary frontages to Wilkies Street and Geraghty Street. Specifically, the road layout has been reconfigured to provide perimeter roads within Precinct 2 and Precinct 3 which will allow future driveway crossings to connect to the perimeter roads as opposed to Wilkies Street and Geraghty Street. Further discussion is provided at Section 3.2 of the PPR.
Anglicare proposed changes do not minimise potential for vehicle, bicycle and pedestrian conflicts and in fact creates massive risks to community safety.	11	The revised scheme reduces the number of driveways off both Wilkies Street and Geraghty Street and thus reduces the potential for pedestrian conflicts.
Anglicare has not demonstrated that the current narrow roads which were designed by Stocklands for McCauleys Beach housing estate, will be able to comply with Anglicare's proposed 55 residential townhouse traffic. All of which Anglicare will require to flow into narrow Wilkies Street across Wilkies Walk. Wilkies Street is only 6.5 metres wide, when two cars are parked opposite each other, the road is completely blocked to traffic. Lives are at risk because no emergency vehicles will be able to access Wilkies Street.	21	TTPA has reviewed the proposed road layout and has concluded that all of the vehicle access will be capable of complying with the relevant design requirements of Australian Standards AS2890.1 and 2.
Wilkies Street will be unable to cope with all the traffic from Anglicare's proposed 55 residential townhouses.	20	The EAR was accompanied by a Traffic Impact Assessment prepared TTPA. TTPA has undertaken a comparison of the approved and proposed schemes and the modified development has the potential to generate an addition 13 vehicle trips per hour (VTPH) in the AM peak and an additional 7VTPH in the PM peak. TTPA conclude that this very minor increase in generated traffic would be quite imperceptible when it is distributed in 2 directions along Geraghty Street and that the proposed development could be accommodated without adverse impact.

Issue Raised	No. Submissions	Comment/Design Response
Anglicare has not provided any internal road network to cope with their current proposed changes and merely wish to take complete advantage of the external roads of McCauleys Beach housing estate which were designed by Stocklands for 180 free standing residences and just 6 x 2 townhouses.	8	The McCauleys Beach Estate contains a public road network available to all local residents. The proposal seeks to retain the vehicular access off Sandon Point Drive to the south west corner of the site including a bridge across Tramway Creek. This provides an additional access point to service the Anglicare development. TTPA conclude that the proposed development could be accommodated without adverse impact.
Townhouses D and E will put 12 driveways across just 200 metres of Wilkies Walk effectively decimating as a pedestrian and cycle way. It will be very dangerous to walk, cycle on the Walk.	8	In response to this, the Concept Plan has been amended to minimise primary frontages to Wilkies Street and Geraghty Street. Specifically, the road layout has been reconfigured to provide internal perimeter roads that will allow future dwellings the opportunity to facilitate driveway access to the perimeter roads. Further discussion is provided at Section 3.2 of the Preferred Project Report.
ABS 2016 census confirms that more than 60% of Bulli dwellings have 2 or more, motor vehicles. As the proposed Hill Top and Oceanview townhouses will not be close to any services or transport links, then the townhouses will have 2 or more motor vehicles.	8	Parking provision on site will be in accordance with either the Seniors SEPP or Council's DCP, whichever is the relevant control in each instance. Several on street parking spaces are also proposed throughout the precinct for visitors to the development.
The rail bridge crossing at Sturdee Street is unsafe for cars let alone heavy trucks that would access the site.	1	The proposal does not seek to utilise the Sturdee Avenue rail bridge for vehicle access. Notwithstanding this, the proposal seeks to retain the vehicular access off Sandon Point Drive to the south west corner of the site including a bridge across Tramway Creek. This provides an additional access point to service the Anglicare development.
The Hilltop precinct that fronts Wilkies Street is inappropriate for townhouse development because it is the most distant part of the Sandon Point site from railway stations, main roads, shopping centres and schools (there will be no vehicle access across the closed Sturdee Street Bridge)	2	The Concept Plan modification application maintains vehicular access off Sandon Point Drive to the south west corner of the site including a bridge across Tramway Creek. In this regard, vehicles will not exclusively use the northern Geraghty Street exit.
A pedestrian crossing at intersection of Geraghty st and Wilkies rd will be required to slow down traffic in this area and keep pedestrians safe.	1	The provision of safe and effective pedestrian facilities is an integral component of the redevelopment of the site. The Applicant is committed to facilitating and encouraging residents to walk as a healthy alternative to using private motor vehicles. If Council and the RMS determine that the numerical warrants for a pedestrian (zebra) crossing are met, then this crossing can be facilitated with the detailed design.
The roads in McCauley's beach Estate are not suitable for ongoing use of big delivery vans, 500-600 extra residents to the Anglicare precinct. I recommend that the Aged care deliveries be brought in from the South as most deliveries will be coming from Wollongong or from Sydney (down Bulli pass and into Point St).	1	As noted above, the modification application seeks to retain the vehicular access off Sandon Point Drive to the south west corner of the site including a bridge across Tramway Creek. This provides an additional access point to service the Anglicare development. Anglicare can encourage service vehicles to utilise the site entry via Point Street and Geraghty Street.
Pedestrians, cyclists and vehicles will have increased exposure to incidents.	1	The Concept Plan has been amended to minimise primary frontages to Wilkies Street and Geraghty Street. Specifically, the road layout has been reconfigured to provide internal perimeter roads that will allow future dwellings the opportunity to facilitate driveway access to the perimeter roads. Further discussion is provided at Section 3.2 of the Preferred Project Report.
Inadequate off street parking, with extra vehicle being parked on streets. Insufficient parking in the development to cope with visitors and residence vehicles.	3	Parking will be delivered under future Development Applications. Parking provision will be in accordance with either the Seniors SEPP or Council's DCP, whichever is the relevant control to each DA.

Issue Raised	No. Submissions	Comment/Design Response
Wilkie street and feeder streets (Panmills st, Craven st, Wakefield st) are not wide enough support large vehicles parking either side of the street which block the roads preventing free flow of traffic. Medium vehicles need to be parked against the kerb to allow single lane traffic to pass.	1	Several on street parking spaces are also proposed throughout the precinct for visitors to the development as illustrated at Appendix B .
The latest Traffic surveys have been undertaken on Brickworks Avenue on a Friday which does not consider the cars being parked in Brickworks Ave by the public to use the Thomas Gibson park. During sports and training days access thorough Brickworks Avenue is single lane tidal flow due to cars being parked on both sides of the road.	1	Refer to the response provided by TTPA within the Traffic Impact Statement at Appendix M .
Development should feed vehicles through wider street away from Wilkie street and feed traffic directly into the development through Geraghty st. Access to northern and southern sides of the development should be from within the development by means of bridge. No dwellings should use Wilkie st to gain access to the development. Infrastructure does not support access through Wilkie st.	1	The McCauleys Beach Estate contains a public road network available to all local residents. The modification application seeks to retain the vehicular access off Sandon Point Drive to the south west corner of the site including a bridge across Tramway Creek. This provides an additional access point to service the Anglicare development.
There should be separate access to the retirement/nursing home which does not include McCauley's Estate.	1	
While the construction of a bridge over Tramway Creek and connection to Point Street is a major benefit for Thirroul, there is a concern that this could result in additional traffic pressures in Point Street, particularly east of the Sandon Drive junction.	1	The Environmental Assessment Report was accompanied by a Traffic Impact Assessment prepared by TTPA. TTPA has undertaken a comparison of the approved and proposed schemes and the modified development has the potential to generate an addition 13 vehicle trips per hour (VTPH) in the AM peak and an additional 7VTPH in the PM peak. TTPA conclude that this very minor increase in generated traffic would be quite imperceptible when it is distributed in 2 directions along Geraghty Street and that the proposed development could be accommodated without adverse impact.
Consider access arrangements to Lot 101 DP268549 owned by High Dune. Alternative access arrangements have been proposed that align with the Anglicare proposal.	1	Anglicare has engaged the proponent of the proposed development on this site. The provision of this access road is subject to further discussions, and if viable, it will be included within the scope of a future Development Application.
The McCauley Beach Estate currently has only one exit and entry point for over 2,000 residents – at the intersection of Wrexham Road and Lawrence Hargrave Drive. This could be considered dangerous. A second means of egress south from McCauley Beach Estate will resolve this issue.	1	The EAR was accompanied by TTPA. TTPA has undertaken a comparison of the approved and proposed schemes and the modified development has the potential to generate an addition 13 vehicle trips per hour (VTPH) in the AM peak and an additional 7VTPH in the PM peak. TTPA conclude that this very minor increase in generated traffic would be quite imperceptible when it is distributed in two directions along Geraghty Street and that the proposed development could be accommodated without adverse impact.
Wilkie Street (currently 13.2 metres wide including footpath and 300 metres in length) should be widened to the same width as Geraghty Street (currently 16.4 metres wide including footpath, a difference of 3.2 metres)	1	Wilkie Street is not within the subject site.

Issue Raised	No. Submissions	Comment/Design Response
Development Staging		
Anglicare has not provided any staging for the Tramway Creek bridge to create another north/south road for the northern Illawarra. It is imperative that Anglicare build the bridge over Tramway Creek prior to any construction taking place.	15	The Tramway Creek Bridge will be delivered as part of Stage 1A which includes Precinct 1 (west): RACF, community facilities and independent living units and construction of Geraghty Street and Turpentine Forest/Cookson Creek rehabilitation. Future development on the site will not be occupied until this crossing has been delivered.
Anglicare has not addressed timing for the delivery of vehicular connectivity between Wrexham Road and Point Street, the bridge over Tramway Creek and has not addressed any changes to pedestrian and cycle ways.	11	As noted within the EAR, the modified proposal will retain an extensive pedestrian and cycle network that will be development with the detailed design. The modified proposal maintains a shared path along Geraghty Street (2.5m wide) and provides pedestrian paths through the precinct. Pedestrian paths will also be provided through the Turpentine Forest. The exact location of these will be determined with the detailed development applications and will be designed to ensure larger mature Turpentine Trees are protected and minimal environmental impact.
Ecology and Biodiversity		
Anglicare has not demonstrated that the revised development will not encroach on the Turpentine Forest.	19	The modified proposal can be wholly contained within the approved developable footprint without any encroachment onto the Turpentine Forest. The modification application maintains a commitment to retain and rehabilitate the Turpentine Forest and the riparian corridor and wetland within the site.
Anglicare has not provided appropriate buffer areas to riparian corridors	9	
The boardwalk across Cooksons Creek will create and adversely impact further on flora, fauna and biodiversity.	12	The original concept plan included a single vehicular crossing (in the form of a weir). The modified proposal, which now only seeks to implement a boardwalk crossing for pedestrians, represents a reduced impact footprint compared to the approved Concept Plan and therefore is not considered to be an 'additional' impact compared to the previous approved development. Notwithstanding this, the pedestrian pathway will be delivered as part of subsequent Development Applications and will be designed to minimise the impact on the Cookson's Creek riparian corridor.
The townhouse development diminishes the important habitat for many beautiful Australian birds that use the bushes and shrubs at the proposed townhouse site as habitat. This will reduce the scenic and recreational value of one of the most beautiful regions in Wollongong and damage the tourist value of Sandon Point and Bulli Point.	8	The modified proposal can be wholly contained within the approved developable footprint. The modification application maintains a commitment to retain and rehabilitate the Turpentine Forest as well as the riparian corridor and wetland within the site. These existing natural features will be embellished with a comprehensive landscape plan to maintain the natural landscaped character of the area.
Aboriginal Heritage		
The proposal appears to encroach on the heritage listed Turpentine Forest without adequately assessing the impacts.	15	The replacement of Asset Protection Zones with defendable zones, is consistent with those approved under Mod 1 on the Stockland portion of the approved Concept Plan. The modified proposal can be wholly contained within the approved developable footprint. The modification application maintains a commitment to retain and rehabilitate the Turpentine Forest as well as the riparian corridor and wetland within the site. These existing natural features will be embellished with a comprehensive landscape plan to maintain the natural landscaped character of the area.
During the last 12 years the heritage listed Turpentine Forest has grown significantly. This fact has not been respected by Anglicare who now propose to build 55 townhouses which severely encroach on this heritage listed forest.	6	
The addition of townhouses D and type E along the western end of Wilkies Street will effectively enclose the small Turpentine Forest with 2 to 3 storey buildings, whereas on previous plans, the forest would retain	6	

Issue Raised	No. Submissions	Comment/Design Response
the existing northern green buffer zone the 20m Asset Protection Zone which meets Wilkies Street.		
I object to the proposed housing blocks of A, B, C, D, E, F and G as they are situated far too close to sensitive areas, such as Aboriginal sites.	6	The modified proposal has reduced the development footprint in the Precinct 3 to protect the Aboriginal Archaeological Sites. An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by MDCA and provided with the EAR. Within the ACHAR, MDCA has determined that that a sufficient buffer is proposed to ensure the protection of the retained archaeological artefacts. We also refer to the RtS, that notes that the proposed modification will reduce the overall level of harm to Aboriginal objects.
Further Aboriginal consultation for the AHIP is required as per OEH recommendations since 5 years have elapsed.	1	Refer to the response prepared by Mary Dallas Consulting Archaeologists (MDCA) at Appendix G . MDCA confirms that consultation is ongoing. When MDCA produced the draft ACHAR, it was distributed to all the Relevant Aboriginal Parties (RAPs) and no responses were received. MDCA refute that the consultation process should be restarted, that the current RAPs be given another chance to respond the ACHAR before it is finalised and accompanies the AHIP. It is noted an AHIP will not be issued without an approved DA.
Consideration is to be given to the Keeping Place for aboriginal relics.	3	An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by MDCA and provided with the EAR. Within the ACHAR, MDCA has determined that that a sufficient buffer is proposed to ensure the protection of the retained archaeological artefacts. We also refer to the RtS, that notes that the proposed modification will reduce the overall level of harm to Aboriginal objects.
Increase asset protection zones around the forest and the archaeological site and decrease the number of dwellings to ensure there are no adverse impacts upon the nearby SPATE site and the natural environment.	2	The replacement of Asset Protection Zones with defensible zones, is consistent with those approved under Mod 1 on the Stockland portion of the Approved Concept Plan. This is recommendation is supported by Peterson Bushfire within the Bushfire Impact Assessment Report submitted with the EAR. Further discussion is provided within the Bushfire Impact Cover Letter at Appendix K .
Dwelling Yield and Density		
I object to Type D and Type E townhouses that front narrow Wilkies Street. These developments D and E are new plans, not modifications.	6	Multi-dwelling housing (townhouse) uses are permissible with consent under <i>State Environmental Planning Policy (State Significant Precincts) 2005</i> and the subject blocks can be wholly contained within the approved developable footprint.
I object to 55 townhouses being built. Anglicare proposes 55 townhouses however, does not wish to provide the roads and infrastructure for their own development. Instead, they want to crowd the associated traffic from these into current inadequate infrastructure of narrow Wilkies Street and surrounding narrow streets of McCauley Beach Estate.	7	The approved development provides for the construction of apartments and a RACF in Precincts 2 and 3 opposite the McCauley Beach Estate. The proposed development actually seeks to reduce the density of development within this part of the site and would result in fewer traffic movements than that already approved.
In the previous 2006 concept plan, Section D did not exist. The residents in Wilkies Street at 23, 21, 19, 17, 15, 13 and 11 specifically bought their blocks of land because Stockland specifically advised and promised that it would be impossible for any future development to be built across from 23, 21, 19, 17, 15, 13 and 11 due to the size and location of the heritage listed Turpentine Forest and the 20m Asset Protection Zone which encircled it. On this surety provided by	6	All the proposed uses are permissible with consent under <i>State Environmental Planning Policy (State Significant Precincts) 2005</i> and the subject blocks site can be wholly contained within the approved developable footprint without any encroachment onto the Turpentine Forest. The detailed design submitted in future Development Applications will ensure the architecture of buildings within this block presents an appropriate streetscape outcome.

Issue Raised	No. Submissions	Comment/Design Response
Stocklands, we and our neighbours purposefully and specifically purchased our blocks of land.		
I object to the proposal to build 55 general residential townhouse-style dwellings as they will significantly change the existing peace and amenity enjoyed by the current residents in the area.	6	The approved Concept Plan always facilitated development within the Anglicare site. Whilst the surrounding development has been well established, it is not reasonable, nor the intent of the Concept Plan for this land to remain undeveloped in perpetuity. The modified development seeks to reduce the scale and density of the approved development to be more compatible with the surrounding context.
Scale of the development as a whole is inappropriate for the area.	2	It was not the intent of the Concept Plan approval to facilitate development on the Anglicare site that is entirely consistent with low scale residential development within the local area including the McCauley Beach Estate. The Concept Plan approval allows for development up to 4 storeys and a site coverage of 11,100m ² . The proposed concept allows for a maximum height of 3 storeys with a 4.3% reduction in site coverage.
Development does not conform to adjacent estate densities (Sandon Point and Macaulay's Beach).	1	The proposal does not seek to exceed the site's maximum height or FSR controls and all the proposed land uses are permissible with consent under the State Significant Precincts SEPP. In addition, the modified concept will facilitate a more appropriate transition in scale from the low-density dwellings to the north across the site to the RACF and residential flat buildings located at the south of the site. In this regard, the scale and density of the modified proposal is considered appropriate for the area.
The average lot size per residential dwelling is under 180sqm (57 units made up of 54 x 3 bedroom units and 3 x 2 bedroom units totalling 10,245m ² equates to an average of 179.74 m ²). It can be argued that these lot sizes are arguably the minimum size for a dwelling of this type. We know of no similar lot size in the centre of either Thirroul or Bulli.	1	The indicative layout proposes lots ranging in size between 166 ² and 447m ² . It is noted however, that there is no minimum or maximum lot size prescribed in either the State Significant Precincts SEPP or the approved Concept Plan. Lot sizes will be resolved in future detailed Development Applications.
Bushfire		
Anglicare has not accurately assessed the impacts of their layout of the proposed changes on the Turpentine Forest and Aboriginal areas because they insist that the recommended 20 metre Asset Protection Zone is not at all important and insist that 6 metre buffer zone will be more suitable for their proposed changes	17	The replacement of Asset Protection Zones with defendable zones, is consistent with those approved under Mod 1 on the Stockland portion of the approved Concept Plan. This is recommendation is supported by Peterson Bushfire within the Bushfire Impact Assessment Report submitted with the EAR and the Bushfire Impact Cover Letter at Appendix K .
Anglicare does not demonstrate compliance with the provisions of Planning for Bushfire Protection 2006 as they propose to reduce the 20 metre Asset Protection Zone to just a buffer zone of 6 metres (i.e.. the width of a two car garage)	11	
I object to the Anglicare proposal to the replacement of Asset Protection Zones with defendable zones particularly because of the heritage listed remnant Turpentine Forest located on the Anglicare site.	6	
The townhouse blocks B-F are under the immediate threat of fire danger due to their close proximity to the reserved forest. As such there should be an increase in the required curtilage to 20 m to provide a bushfire asset protection zone.	9	

Issue Raised	No. Submissions	Comment/Design Response
By clearing shrubby understory to eliminate bush fire risk, Anglicare will pose direct threat to the heritage listed Turpentine Forest.	1	
Built form		
The design and layout of the 55 residential townhouses does not fit with that of the Wilkies Street, the broad McCauley Beach housing estate nor the adjacent Sandon Point housing estate.	10	This modification application will reduce the density and intensity of development that is currently approved under the Concept Plan. It was not the intent of the Concept Plan approval to facilitate development on the Anglicare Lands that is entirely consistent in bulk and scale with the development on the Stockland Lands.
Anglicare does not provide an accurate assessment of the impact of their proposed 55 residential townhouses. Anglicare has not demonstrated how their proposed 55 townhouse development fits in with the current height, bulk and scale of the current McCauleys Beach housing estate which contains 180 free standing homes and only 6 adjoined townhouses	11	The Concept Plan approval allowed for development up to 4 storeys and a site coverage of 11,100m ² . The proposed concept allows for a maximum height of 3 storeys with a 4.3% reduction in site coverage. The proposal does not seek to exceed the site's maximum height or FSR controls and all the proposed land uses are permissible with consent under the State Significant Precincts SEPP. In addition, the modified concept has been amended to facilitate a more appropriate transition in scale from the low-density dwellings to the north across the site to the RACF and residential flat buildings located at the south of the site. In this regard, the proposed scale and density of the proposal is considered appropriate for the area.
Anglicare has not provided any accurate assessment of the site coverage, character and scale, showing poor development capacity.	1	The detailed design in subsequent Development Applications will be required to demonstrate that the dwellings provide high amenity and that the architecture does not conflict with the existing character of the area.
ESD		
Anglicare has not identified how best practice Ecologically Sustainable Development (ESD) will be incorporated.	9	Each detailed Development Application for residential development will be submitted with a BASIX assessment, detailing the ESD measures to be incorporated in each building, consistent with condition C7. The detailed design will make efficient use of natural resources, energy and water throughout its full life-cycle in accordance with the BASIX requirements.
This site offers an opportunity to showcase sustainable development. A planned estate that demonstrates ESD principles incorporating efficient residential design, solar power and water saving principles throughout the estate.	1	It is also noted that an energy efficient passive building response has been developed through the building configurations. The residential flat building networks is typically extended along a north south axis, therefore opportunities for solar and ventilation have been optimised.
Public Interest		
The proposed modification is detrimental to our community based on issues of amenity, capacity, safety and environment.	6	The proposed development will have many significant public benefits including: <ul style="list-style-type: none"> Retention and rehabilitation of the Turpentine Forest and Cooksons Creek;
Anglicare has not provided any measures to minimise land use conflicts	9	<ul style="list-style-type: none"> Completion of the local road network with the construction of a vehicular bridge at the southern end of Geraghty Street Provision of a range of housing types accommodating the housing needs of the local community.
Change in typology of housing could result in graffiti in the surrounding area. Consider artwork at the bridges leading to the new development.	1	It is not envisaged that a seniors housing development will create a direct impact in graffiti. Public art will be considered under future Development Applications.
Consider incorporating a playground in the development to encourage young families in the area.	1	The detailed design of the public open space will be developed under future Development Applications. At this stage a playground will be considered.

Issue Raised	No. Submissions	Comment/Design Response
Flooding		
The residential aged care facilities and retirement villages are built at the low area that is subject to flood risk. Given the vulnerability of the community at risk, it is not appropriate to locate them at the low side, but locate them at a higher position.	7	The aged care facility falls within the critical category of Chapter E13: Floodplain Management of Wollongong City Council Development Control Plan. This has been taken into account in determining the minimum development levels. Refer to Section 5.6.5 of Appendix E for further information.
The effects of climate change in relation to flooding have not been considered.	1	A TUFLOW model was set up and run to assess the impacts of climate change in a 100 year ARI design event. Refer to Section 5.6.2 of Appendix E for further discussions.
Community Consultation		
At Thirroul Village Committee Meeting (11 November 2018), Anglicare comments were vague and contradictory including “just because 55 townhouses are shown on the plan does not mean that they’re going to build them”	4	A comprehensive report has been prepared by Straight Talk which outlines the consultation undertaken, information provided and the messages that were heard (Appendix I of the EAR). Each subsequent detailed DA will clearly illustrate the resolved development proposals within each precinct.
Affordable Housing		
There is a need for more Affordable Housing options in the northern Illawarra and it would be commendable if ESD principles could be integrated with affordable housing as part of the modification.	1	Each detailed development application for residential development will be submitted with a BASIX assessment, detailing the ESD measures to be incorporated in each building, consistent with condition C7. The detailed design will make efficient use of natural resources, energy and water throughout its full life-cycle in accordance with the BASIX requirements.