

APPENDIX C - PUBLIC AND AGENCY SUBMISSIONS

Part B – Proforma submissions

| No. | Date | Nature | Comment | Issue Summary |
|-----|--------------|-----------|--|--|
| 1 | 3 July 2008 | Objection | <ul style="list-style-type: none"> ▪ Extensive Aboriginal cultural heritage exists on the site. The site must be declared an Aboriginal Place of State & National Significance; ▪ The proposal will threaten local biodiversity, including threatened species & endangered ecological communities. Natural areas, including forest, wetlands, floodplains will suffer from the cumulative impact of increasing development; ▪ Area between Woodlands & Hewitts Creek is a floodplain which is located at the bottom of a steep catchment. The catchment is severely flood prone; ▪ The original concept plan was rejected by the Land & Environment Court due to failed consideration of Environmentally Sustainable Development Principles, including impacts of climate change. The current proposal does not adequately address impacts of climate change or ESD; ▪ Oppose use of public land for private development; ▪ Traffic issues in relation to access to Thirroul and East Bulli will cause safety problems and congestion. | <ul style="list-style-type: none"> ▪ Errors in submitted application documentation. ▪ Significant ecological issues. |
| | 4 July 2008 | Objection | As above | |
| | 4 July 2008 | Objection | As above | |
| | 3 July 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 31 June 2008 | Objection | As above | |
| | 3 July 2008 | Objection | As above | |
| | 2 July 2008 | Objection | As above | |
| | 2 July 2008 | Objection | As above | |
| | 2 July 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 30 June 2008 | Objection | As above | |
| | 3 July 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 30 June 2008 | Objection | As above | |

| No. | Date | Nature | Comment | Issue Summary |
|-----|--------------|-----------|--|---|
| | 30 June 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 1 July 2008 | Objection | As above | |
| | 9 July 2008 | Objection | As above | |
| | 9 July 2008 | Objection | As above | |
| | 9 July 2008 | Objection | As above | |
| | 3 July 2008 | Objection | As above | |
| | 12 July 2008 | Objection | As above | |
| | 21 July 2008 | Objection | As above | |
| | 29 July 2008 | Objection | As above | |
| | 29 July 2008 | Objection | As above | |
| | 14 July 08 | Objection | As above | |
| 2 | 4 July 2008 | Objection | <ul style="list-style-type: none"> ▪ The site contains Aboriginal cultural heritage items. The entire site must be declared a Aboriginal place of State & National significance; ▪ Conservation of local biodiversity, and endangered ecological communities and protection of threatened flora & fauna must be protected. The flora & fauna will be destroyed by the development; ▪ Area between Woodlands & Hewitts Creek is a floodplain which is located at the bottom of a steep catchment. The catchment is severely flood prone; ▪ The previous concept plan was rejected by the Land & Environment Court due to failed consideration of Environmentally Sustainable Development Principles, including impacts of climate change. The current proposal does not adequately address impacts of climate change or ESD; ▪ The original concept plan was rejected by the Land & Environment Court due to failed consideration of climate change impacts. The current proposal does not adequately address impacts of climate change or ESD; ▪ Oppose use of public land for private development; ▪ Traffic issues in relation to access to Thirroul and East Bulli will cause safety problems and congestion; ▪ Claims by land owner, DoP that COI recommendations are unworkable remain unsubstantiated; | <ul style="list-style-type: none"> ▪ Aboriginal culture ▪ Biodiversity ▪ Flora & fauna ▪ Floodplain ▪ ESD principles ▪ Climate change ▪ Public land ▪ Traffic |

| No. | Date | Nature | Comment | Issue Summary |
|-----|--------------|-----------|----------|---------------|
| | 30 June 2008 | Objection | As above | |
| | 8 July 2008 | Objection | As above | |

Sandon Point Submissions

Agency submissions

| No. | Date | Submitter | Nature | Comment | Issue Summary |
|-----|--------------|--|-------------------|--|--|
| 1 | 26 June 2008 | NSW Rural Fire Service Locked Mail Bay 17 Granville NSW 2142 | Support | <ul style="list-style-type: none"> Raise no issues in relation to bush fire for the proposal. | <ul style="list-style-type: none"> No objection |
| 2 | 14 July 2008 | SES Level 4, 6-8 Regent Street Wollongong NSW 2500 | Neutral | <ul style="list-style-type: none"> The proposal appears to be above the 1% Annual Exceedance Probability, and above the Probable Maximum Flood level. The proposal is not clear how it intends to address the issue of flood evacuation other than providing a 'muster area' within the complex which appears to be located on a 'flood island'; The implications of what is forecast under climate change is that at some time in the future, the sites will be closer to the 1% AEP flood level, with no freeboard; Due to climate change, access roads may progressively become susceptible to more frequent floods, thereby increasing the isolation risk Proposal documentation has not adequately recognised the vulnerability of people living within the potential flood island and the risks they will be exposed to as a result of a large flood event If the community is isolated by floodwater, then medical or fire risks cannot be treated Given the proposal intends to provide aged care or retirements facilities, then these issues must be addressed in a more detailed manner given the vulnerability of the community at risk; Recommend that prior to approval, the issues of consequential risks due to climate change and risk associated with isolation be considered in more detail. | <ul style="list-style-type: none"> ARI Flooding Evacuation Climate Change Documentation Floodwater Address in more detail climate change impacts |
| 3 | 8 July 2008 | Department of Environment and Climate Change Derek Steller PO Box 668 Parramatta NSW 2124 | Recommend changes | <ul style="list-style-type: none"> DECC continues to have significant concerns in regard to flood risk and riparian management matters that DECC consider to have been inadequately addressed in this revised application; Issues previously raised by DECC regarding floodplain risk and riparian corridor management on the site remain unresolved. The revised proposal still does not address fundamental issues raised by DECC, Wollongong Council and Patterson Britton flood risk and riparian management The issues unaddressed expose the local community, future landholders and potentially the Department to significant liability Strongly recommend the Department to revisit prior advice regarding flood risk management and riparian management, in assessing and determining the current proposal; Proposal subject to adverse flood impacts. Major concerns that there is no assessment of the impact of the proposal on flood behaviour. The proposal modifies the floodplain and this may result in increased flooding to existing development. Recommend Department ensure a flood impact assessment be undertaken that compares existing conditions with developed conditions for both existing and augmented railway conditions. Flood planning levels Cardno Forbes Rigby rationale to support design flood planning levels for new development is unclear. Modelling assumes that culvert upgrade works will be undertaken, which cannot be guaranteed No increase in flood planning levels in order of 300-500mm The design channel velocities and shear stresses exceed stability thresholds for natural stream treatments. Channel stability. Concerns regarding future erosion of the watercourses have not been addressed remain. Current proposal will lead to hard engineered channel treatments that substantially depart from Government position for natural stream treatment Current proposal does not recognise the regional significance of the creek system as evidenced by reduced buffer widths and treatments that compromise the rehabilitation of the natural stream functions Remains unclear as to why adverse flood impacts of proposal have not been estimated and have not led to any change in the proposal Advise that bio-retention ponds located outside the site be relocated outside the corridors due to the presence of endangered ecological communities and potential Aboriginal cultural heritage values Hewitt's Creek section and plan appears to describe a parkland rather than a well vegetated riparian corridor with a healthy interconnected tree canopy, mid canopy and shrub layers. | <ul style="list-style-type: none"> Flood risk Riparian management Future risks No assessment of flood Design channel Regional significance of creek Bio-retention ponds Hewitt's Creek |

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| 4 | 26 June 2008 | NSW Department of Primary Industries Trevor Daly PO Box 17 Batesman Bay NSW 2536 | <p>Regarding the Stockland site the following comments are raised:</p> <ul style="list-style-type: none"> ▪ The location of water quality control measure for this site within the riparian buffer zones is not considered best practice as it potentially compromises the future ecological values of the rehabilitee waterways and riparian areas. Recommend the pocket wetlands or bio-retention ponds be relocated outside the riparian buffer zones ▪ Notes and approves of the commitments by the proponent to undertake quarterly water quality monitoring on site. ▪ Approves design for waterways crossings ▪ Agrees with proposed establishment and maintenance of aquatic and riparian vegetation ▪ Expect approval to include requirement for Best Management Practice regarding erosion and sediment control during construction. <p>Regarding the ARV site the following comments are raised:</p> <ul style="list-style-type: none"> ▪ Supports retention and rehabilitation of appropriate and best practice riparian zones and buffers for Cookson and Tramway Creeks ▪ Concurs with proposed use of best practice Water Sensitive Urban Design provisions ▪ Approval should include a requirement for monitoring water quality downstream in Cookson and Tramway Creeks during and after construction, and implementation of Acid Sulphate Soils Management Plan ▪ Recommend the inclusion of requirement that the proposed general safeguards and measures to minimise environment impacts detailed in the Statement of Commitments be fully implemented ▪ Importance for a need to minimise the harm to the natural environment both at the work site and downstream during development of this site. | <ul style="list-style-type: none"> ▪ Water quality control ▪ Riparian buffer zones ▪ Bio-retention ponds ▪ Waterway crossing ▪ Aquatic & riparian vegetation ▪ Erosion & sediment control ▪ WSUD provisions ▪ Statement of Commitment ▪ Natural environment |
| 5 | | Wollongong City Council Locked Bag 8821 Wollongong NSW 2500 | <ul style="list-style-type: none"> ▪ The size of the ARV is unclear, more documentation is necessary; ▪ Proposal contains a mix of old and new reports with conflicting details; ▪ Proponent must demonstrate that satisfactory arrangements have been made with adjoining owners for works crucial to operation of proposal, including access via Wrexham Rd ▪ Access for both pedestrians and vehicles appears limited. Proposal relies on the extension of Wrexham Rd as northern access, although this is not part of the Concept Plan. ▪ Council recommends that the Department impose conditions relating to restriction to users on allotments affected by rail related noise and vibration to ensure required acoustic treatments are implemented; ▪ Consideration given to a community Title subdivision to ensure infrastructure is maintained ▪ Applicant should demonstrate the asset protection zone complies with Planning for Bushfire Protection ▪ The site is not known to contain any Aboriginal sites or as an Aboriginal place, however is of significance to the local Aboriginal community; ▪ Further investigations into the sites Aboriginal significance must be conducted prior to development works occurring ▪ Recommendations from Preliminary Aboriginal report should be adopted as conditions of consent. ▪ The Turpentine Forest is listed in Wollongong's LEP as a heritage item ▪ Recommendations by Cumberland Ecology should be implemented in the development ▪ Turpentine Forest and Cookson's Creek corridor should be managed in accordance with an approved Vegetation Management Plan (VMP). The VMP should be given legal standing regarding ongoing management of the forest ▪ Vegetation removal should be kept at a minimum. Removal of Turpentine Forest should be treated as demolition of a heritage item ▪ Development around the Turpentine Forest should use appropriate design techniques, materials and colours ▪ Heritage reports provides evidence that relics are likely to exist on the site, and therefore permit is required ▪ Preparation of a Heritage Interpretation Plan to guide on-site interpretation of heritage values ▪ Bridges over rail line should be under ownership of relevant rail authority ▪ Concept and Project plan should not be approved until water, sewerage and energy service providers have been able to comment and confirm their ability to provide and maintain services to the site ▪ Proponent should dedicate land to facilitate connectivity between proposed pedestrian cycleway and existing cycleway ▪ Proponent should commit to providing maintenance of proposed Regional Park, riparian corridors and road works. ▪ The level of the bridge on the western side of Wrexham Rd appears to be higher than existing road levels. ▪ Design items outstanding including: Monier M-Lock Beams may not be sufficient for spans, no vehicle barriers shown, height of pedestrian barrier missing, durability of each bridge requires min 100yr design life ▪ Have suggested draft conditions regarding the proposed bridge structures, pedestrian cycleway ▪ Council disagrees with statement of 'minimal impacts on eastern section of Point St and adjacent roads. Traffic impacts would be greater now | <ul style="list-style-type: none"> ▪ Proposal size ▪ Conflicting documentation ▪ Landowners ▪ Access ▪ Restriction on titles ▪ Community title scheme ▪ Asset Protection Zone ▪ Aboriginal sites ▪ Turpentine Forest ▪ Cumberland Ecology ▪ Vegetation Management Plan ▪ Vegetation removal ▪ Heritage ▪ Bridges ▪ Utilities infrastructure ▪ Pedestrian cycleway ▪ Regional park ▪ Riparian corridors ▪ Level of bridge ▪ Bridge structure ▪ Traffic impacts ▪ Flood study ▪ Channels ▪ Climate Change ▪ Flood modelling ▪ Riparian zones ▪ Parking spaces ▪ Disabled parking ▪ Landscaping ▪ Fencing ▪ Safer by design principles |

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| | | | <ul style="list-style-type: none"> ▪ The flood study does not quantify the amount of discharge for the 20 yr ARI, nor does it confirm the capacity of the channels for the volume flow ▪ Channel design are not adequate to maintain channel stability. No channel designs have been submitted for either Tramway or Cookson Creeks to allow detailed assessment to be carried out ▪ CFR report have neglected to use the flood levels based on the extreme upper bound of roughness ▪ Flood study has failed to consider the optimum climate change management strategy as recommended by DECC. ▪ Flood study does not clarify the impact of flooding on the development due to overtopping of the railway embankment in the PMF event. ▪ The study does not reflect any flood modelling/analysis of upslope of the railway line embankment ▪ Flood study does not reflect compliance with council's Conduit Blockage Policy ▪ Results indicate flood levels for PMF reaching the structures over Hewitt's, Woodlands & Tramway Creek ▪ Flooding impacts on footbridge have not been referred to or modelled ▪ There is an inconsistency within the flood study to the road bridge over Woodlands Creek ▪ Flood modelling under climate change scenario is only based on the amplification of all railway culverts west of the site. Modelling should also examine the impacts of climate change on the subject and surrounding developments ▪ Proposed tail-out works are not consistent with the Hewitt's Creek Floodplain Risk Management Plan. ▪ Flood study has not demonstrated how 'flood free' access will be available in the PMF event ▪ Flood study has not accurately documented impact of the development on surrounding properties as a result of filling of flood storage areas. ▪ Requests that any approval be conditioned to effect that Proponent commit to providing council with quarterly water quality monitoring reports for five years after construction ▪ Monitoring for presence of invasive species should take place throughout the year ▪ Inadequate provisions for riparian zones have been provided for in the Concept Plan for both creeks ▪ Council requests that any approval be conditioned such that copies of VMP Monitoring Reports be forwarded to council to ensure compliance with these plans prior to handover of riparian lands to Council ▪ Follow up geotechnical work is required at the construction certificate stage and during construction as outlined in the proposal. ▪ Modification of super lots would reduce the availability of affordable housing in the northern suburbs. Also recommend housing is adaptable so that it is suitable for people with mobility problems ▪ Parking spaces must be designated for disabled parking ▪ Council encourages that proposal incorporate safe pedestrian and cyclist crossing areas, particularly near the bridge ▪ Council encourages the integration of public art into landscaping along with other street furniture ▪ EA report indicates that there may be some constraints due to topography that may prevent the footpaths and access to foreshore being suitable for people with disability ▪ Council supports consultation with local public transport providers for their input into the project proposal ▪ Consideration to safer by design principles. Councils recommends limited or no use of battle-axe blocks, limited cul-de-sacs, and rather connect cul-de-sacs to increase connectivity and street activity ▪ Fencing is to not use colour bond materials ▪ Consideration could be given to undertaking a social impact statement | |
| 6 | 28 August 2008 | Roads and Traffic Authority PO Box 477 Wollongong NSW 2520 | <ul style="list-style-type: none"> ▪ RTA are concerned with additional development accessing the Princes Highway via either Sturdee Avenue or Beattie Avenue ▪ Recommended the main access points to be Point Street and Wrexham Road. ▪ Require analysis of the impact the development will have upon the junction of Lawrence Hargrave Drive and Wrexham Road. ▪ Concerned with the availability of appropriate sight distance for vehicles turning right into Wrexham Road from Lawrence Hargrave Drive, as there is potential for direct conflict with through southbound vehicles and an increase in accidents at this junction | <ul style="list-style-type: none"> ▪ Access to site from Princes Hwy ▪ Further analysis at junction ▪ Sight distance of turning vehicles |
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