

Within the study area, the visual quality of the wetlands will be preserved and the land surrounding the wetland will be retained for long term conservation purposes as an expansion of Jervis Bay National Park.

The areas identified for an urban development will be predominantly standard residential subdivisions with the provision for some medium density and small lot housing. Sites suitable for tourist or leisure oriented activities will be identified and reserved for these purposes because it is considered important to promote the leisure / recreation component of the economic base of the sub-region. Provision will be made for the normal range of residential oriented facilities.

### **Cultural Heritage:**

- *All development meet the statutory requirements of the JBREP in respect of Clause 13 – Cultural Heritage*
- *The Aboriginal and European heritage significance of the landscape will be recognised and assessed prior to new development proposals in the region.*
- *Significant cultural heritage places, items and landscapes will be conserved and managed, and not detrimentally affected by new development in the region.*

### **Comment:**

Aboriginal and European heritage assessment is yet to be undertaken for this study area but such will be in the future to continue the planning proposal through the gateway process. These assessments will be undertaken as the planning proposal progresses through the gateway process.

### **Bushfire:**

- *Appropriate asset protection zones will be incorporated into planning instruments associated with new settlement in the region in accordance with the requirements of S117 Direction Planning for Bushfire Protection.*
- *Asset protection zones associated with new development will be contained within the developable areas, and will be excluded from areas set aside for the protection of natural or cultural attributes.*
- *New settlement will be planned to include bushfire risk management measures that are relative to the associated fire risk in the locality*
- *The implementation of bushfire risk management measures associated with new settlement will comply with relevant legislative assessment requirements.*

### **Comment:**

The requirements of Planning for Bushfire Protection, 2006 will be taken into consideration in the zoning, lot size requirements, placement of urban development and potential mitigation measures on into the gateway process.

Larger lots are proposed at the peri-urban boundary may assist in the provisions of a strategic asset protection zone for the existing urban settlement areas.

### **Flooding:**

- *Land within the Flood Planning Area (1%AEP) will not be rezoned to provide for residential development.*

### **Comment:**

There is no intention as part of this planning proposal to rezone lands within the likely 1% AEP of the wetland for residential or rural residential development.

### **Urban Stormwater Management:**

- *A hierarchy of sizes and types of stormwater infrastructure will be provided.*
- *Stormwater infrastructure associated with new development in the region should be designed and constructed in a manner that does not degrade existing natural land-based or aquatic ecosystems or processes.*

### **Comment:**

An integrated water cycle management plan will be prepared for any future development as part of stormwater strategy supporting documentation for this planning proposal.

### **Riparian Areas**

- *Design and location of new development in the region (including infrastructure) will seek to protect riparian habitat values and their ecological and hydrological function in the landscape.*
- *Riparian areas will be protected from ancillary detrimental uses (e.g. under-scrubbing / clearing) that undermine habitat values and their ecological and hydrological function in the landscape.*

### **Comment:**

Riparian habitats, including wetland areas will be conserved.

### **Residential Development:**

- *The supply of housing opportunities for future residential development will be provided within the environmental and servicing limits of the region.*
- *Areas of new settlement in the region will be located and designed in accordance with the guiding principles and policy actions identified in this Strategy.*
- *A range of land and household sizes will be encouraged in new residential areas to allow for housing choice and affordability*
- *The following opportunities for new residential development are identified subject to guiding principles and policy actions outlined in this Strategy*

- *Callala Bay – provide for possible expansion of the settlement to the west, and resolve the existing small lot rural subdivision (intersection of Coonemia / Currarong Roads) in association with any rezoning.*

**Comment:**

Development areas are proposed with conservation offsets which provide significant community and ecological benefits.

A range of development densities can be achieved in the urban development expansion area potentially providing standard residential with low density at the existing urban fringe.

This planning proposal complies with these actions of the JBSS.

**Infrastructure Requirements:**

- *All new urban development identified in the Strategy will be provided with reticulated water only if reticulated sewage is available.*
- *On site effluent disposal for rural residential development will be implemented in accordance with DCP 78 etc.*

**Comment:**

The existing water and sewage infrastructure network within the Callala Bay village will be expanded to the proposed urban development expansion area, so that these lands can be serviced by reticulated water or sewage infrastructure.

**Access:**

- *New development will be designed to provide for permeability and accessibility by pedestrian and cyclists within the local service network.*

**Comment:**

The urban expansion area will have connectivity through to the existing village for pedestrian and cyclist movement, particularly to gain access to the shores of Jervis Bay & Hare Bay.

## 5. Parts 2, 3 and 4 – Explanation of Provisions, Justification & Planning Proposal Maps – Kinghorne & Arrow Points

The land at Kinghorne Point under the control of the Halloran Trust has an area of 199.78 ha in 730 lots. It comprises mostly coastal heathland with the more inland areas being zeric woodland. There are substantial cleared areas at Arrow Point and Boalla Point; these areas were previously used for grazing cattle (see Figure 15).

The proposal for this study area is to allocate the majority of this locality for long term conservation as it is adjacent to the Jervis Bay National Park and an existing Council public reserve. This will largely resolve the paper subdivision issue associated with this study area.

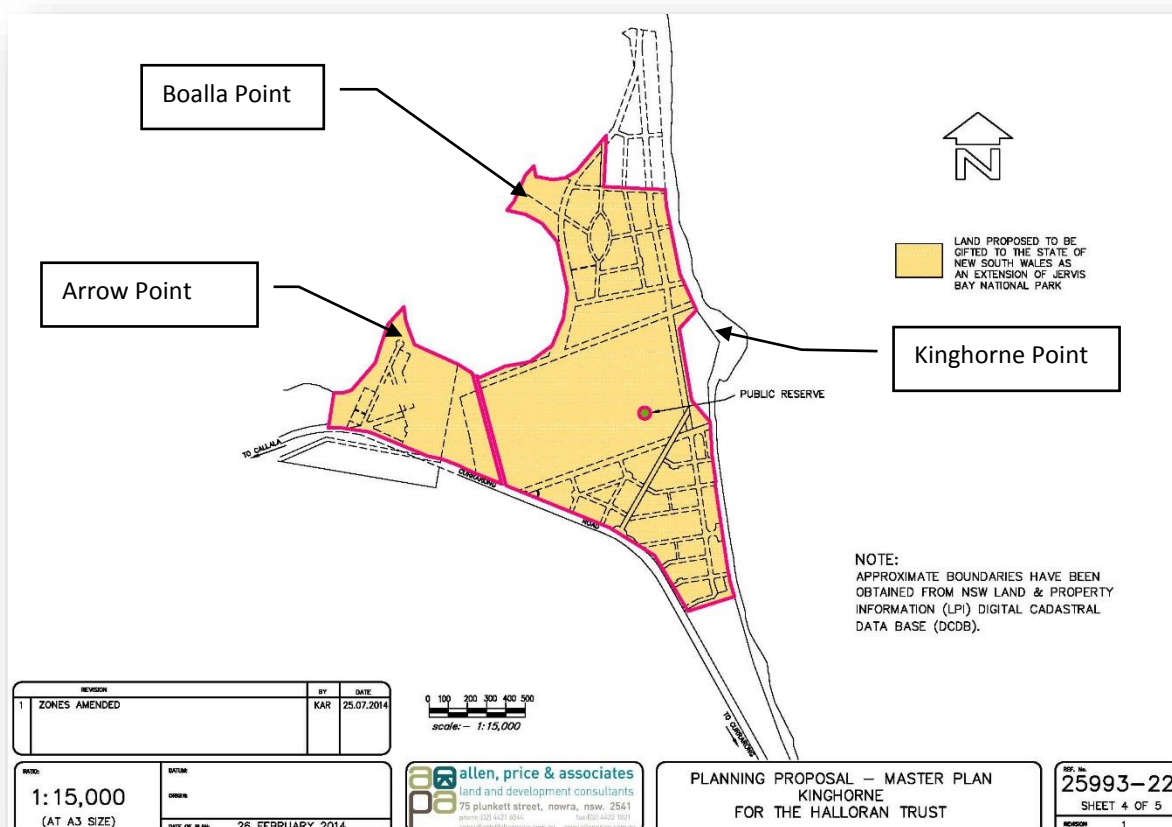


Figure 26 – Kinghorne, Boalla & Arrow Points - Proposed land use overlay (A3 version provided in Appendix 7)

It is also proposed to gift this entire study area to the NSW Government as an extension to the Jervis Bay National Park, resolving the small lot subdivision issues and complying with the requirement for limited development within the Lake Wollumboola catchment.

## **5.1 NEED FOR THE PLANNING PROPOSAL – SECTION A**

### **5.1.1 Question 1 - Is the Planning Proposal a result of any strategic study or report?**

This planning proposal has principally arisen from a resolution of Shoalhaven City Council in their consideration of the Draft Shoalhaven Local Environmental Plan, 2013 as previously outlined. However, this planning proposal is generally consistent with the Jervis Bay Settlement Strategy (JBSS) and the South Coast Regional Strategy (SCRS).

The JBSS identifies the Kinghorn area as being subject to Section 10.5 Small lot rural subdivision – paper subdivision, which states:

*Kinghorn Point “is not identified in the strategy as an area that is capable for future residential development in light of environmental and cultural heritage constraints. Detailed investigation will be required to determine its use in the long term. Further comment in regard to this site is provide in Section 10.9 – Economic Development.”*

Further to the above, Section 10.9 Economic Development states:

*“Action – determine the suitability of the site for the establishment of a marine hatchery / aquaculture research and development facility as part of the overall review of potential sites in Shoalhaven for such uses.*

*Marine hatchery / aquaculture research facility*

*NSW Fisheries is currently (2003) undertaking a review of coastal sites in the Shoalhaven to assess their suitability for the establishment of a marine hatchery / aquaculture research and development facility. Kinghorn (sic) Point, which is within the Jervis Bay Region, has been identified among a range of others a potentially suitable site for such a facility.*

*There are however, a number of significant natural and cultural values associated with Kinghorn Point any proposal for a hatchery/research and development facility will be required to avoid significant impacts on known regionally significant vegetation, threatened species and Aboriginal cultural heritage values, and be consistent with Government policy objectives for the NSW Coast (NSW Coastal Policy, SEPP62 Sustainable Aquaculture, SEPP71 – Coastal Protection).”*

These issues are addressed in this planning proposal through the intention to gift the land to the NSW Government as an extension of Jervis Bay National Park.

### **5.1.2 Question 2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

In the circumstances of this case, it is considered that the planning proposal is the best mechanism for achieving the overall master planning approach for the Halloran Trust land holdings.

There is a very valuable net benefit to the wider community through the proposed long term conservation of land within the Lake Wollumbolla catchment, in accordance with the provisions of the Jervis Bay Settlement Strategy and the South Coast Regional Strategy.

The strategy provided result in the removal of the pressure to develop the small lot paper subdivisions within this study area due to the likelihood of the imposition of a long term conservation. The planning

proposal for this study area resolves the best land use for the area, recognising the access to the ocean, the significant cleared lands and important ecological values of the catchment of Lake Wollumboola.

Further community benefit is achieved through the conservation of significant ecology, threatened species habitat and endangered ecological communities, Aboriginal heritage cultural artefacts etc.

## **5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK – SECTION B**

### **5.2.1 Question 3 - Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

**5.2.1A South Coast Regional Strategy** – relevant actions provided in the SCRS that are applicable to the study area include:

#### **Natural Environment:**

- *New urban development is to be prohibited by local environmental plans on land assessed as being of high conservation value; and appropriate planning controls are to be incorporated into LEPs to protect biodiversity values on land of lower conservation value.*
- *Local environmental plans will not include further residential or rural – residential zoning in the catchment of coastal lakes and estuaries shown on Map 2 unless it is demonstrated that a neutral or beneficial effect on water quality as measured at the boundary of the proposed new zoning plan can be achieved. In certain circumstances it may be possible to use offsetting actions to ensure improved water quality in the coastal lake or estuary.*
- *Councils will review the suitability of planning controls in existing urban zoned and undeveloped lands in the catchments of nominated coastal lakes and estuaries. Councils will consider the NSW Government – endorsed estuary management and coastal zone management plans and Coastal Lake Sustainability Assessments in undertaking this task.*
- *Future development in the catchments of SEPP 14 wetlands will need to demonstrate no net impact on the hydrology, water quality or ecology of these wetlands.*

#### **Comment:**

Kinghorne and Arrow Points and adjacent lands in The Halloran Trust ownership are proposed to be gifted to the NSW Government as an extension to the Jervis Bay National Park in reduce the likelihood of adverse impact upon Lake Wollumboola.

#### **Natural Hazards:**

- *Local environmental plans will zone areas subject to high hazard to reflect the limitations of the land*

#### **Comment:**

Natural hazard assessment is not considered necessary for this study area as there is no urban or habitable development proposed as part of this planning proposal.

### **Economic Development and employment growth:**

- *LEPs protect and add to employment lands in existing economic centres.*
- *LEPs will ensure that appropriate land will be made available to provide for a range of tourism experiences and forms of tourist accommodation.*

#### **Comment:**

This planning proposal seeks to maintain the scenic quality of this coastal environment and the water quality of Lake Wollumboola through gifting the land in this study area to the NSW Government as an extension of the Jervis Bay National Park.

### **Cultural Heritage:**

- *Ensure that Aboriginal cultural and community values are considered in the future planning and management of the local government area.*

#### **Comment:**

As provided in the JBSS, there are over 300 culturally significant sites listed on the OEH Aboriginal Heritage Inventory Management System within the Jervis Bay area. This study area is to be retained for long term conservation through addition to the Jervis Bay National Park.

**5.2.1B Jervis Bay Settlement Strategy:** relevant actions of the JBSS that are pertinent to this planning proposal are identified as follows:

### **Water quality and flow:**

- *All development will meet the statutory requirements of the Jervis Bay Regional Environmental Plan 1996 in respect of Clause 11 – Catchment Protection.*
- *New development will be located and designed so as to avoid detrimental impacts on waterbodies and watercourses, including groundwater. Where there are management impacts, erosion and sediment control measures and means to mitigate nutrient and other pollutants should be provided on the development site and be excluded from areas set aside for the protection of natural or cultural attributes.*
- *New development will be designed so that domestic effluent management does not have a detrimental impact on water quality and flow*
- *New development, including infrastructure (e.g. stormwater controls), will be located, designed and constructed in a manner which does not degrade land based or aquatic ecosystems or processes.*
- *Infrastructure works will not have a detrimental impact on the water quality of receiving waters in the region.*



**Comment:**

This planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park.

**Freshwater, Marine and Estuarine Biodiversity:**

- *Freshwater, marine and estuarine attributes such as mangrove forests, salt marshes, sea grasses and other aquatic, marine or estuarine habitat will be protection from the impacts of new development in the region.*
- *Significant populations of, and habitats for, threatened species, populations and ecological communities listed under the Fisheries Management Act will be conserved and managed under proposed planning instruments associated with new development.*
- *Public access to riparian, marine and estuarine areas may be provided if such access can be achieved without or with minimal disruption to freshwater, marine or estuarine biodiversity.*

**Comment:**

This planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park.

**Land based biodiversity:**

- *New settlement in the region will meet the statutory requirements of the Jervis Bay REP in respect of Clause 14 (Habitat Corridors) and Clause 15 (Disturbed Habitat and Vegetation).*
- *New settlement will be located and designed so as to avoid detrimental impacts on land-based biodiversity.*
- *Decisions regarding the location and design of new development in the region will recognise that the conservation of biodiversity is dependent on maintaining landscape connectivity through a native vegetation system of National Parks, habitat corridors established by the JBREP, environment protection zones under the Shoalhaven Local Environmental Plan, and bushland on private property.*
- *Policy options to offset unavoidable impact(s) of new development on land-based biodiversity in the region will be explored. These options may include strategies for mitigation and compensatory habitat, and will be investigated at all levels of the planning system.*
- *The habitat values, ecological and hydrological processes of wetlands will be conserved and managed so that the impact of development in the catchments of wetlands (SEPP14 and other) will be minimised.*
- *Remnant vegetation will be conserved and protected where-ever possible to maintain and increase natural species diversity.*
- *Locally significant habitat corridors not identified in the JBREP will be addressed at all levels of the planning system, to protect locally significant biodiversity values.*



### **Comment:**

This planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park.

### **Soils:**

- *Areas of potential acid sulfate soils will be identified and excluded from new development areas in the region.*

### **Comment:**

Areas of low potential for acid sulfate soils at ground surface or within 1m of ground surface have been identified in the vicinity of Arrow Point. Acid sulfate soils are characteristic of periodic influence of flood waters in estuarine environments.

However, this planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park.

### **Landscape:**

- *New settlement in the region will meet the statutory requirements of the JBREP in respect of clause 12 – Landscape Quality and where-ever possible landscape values should not be compromised by new development.*
- *New subdivision and housing will be designed in sympathy with the landscape features of the locality.*
- *Important visual aspects of the landscape will be identified and conserved, including the aesthetic quality of the coastal landscape.*

### **Comment:**

This planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park.

### **Cultural Heritage:**

- *All development meet the statutory requirements of the JBREP in respect of Clause 13 – Cultural Heritage*
- *The Aboriginal and European heritage significance of the landscape will be recognised and assessed prior to new development proposals in the region.*
- *Significant cultural heritage places, items and landscapes will be conserved and managed, and not detrimentally affected by new development in the region.*

**Comment:**

This planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park.

**Bushfire:**

- *Appropriate asset protection zones will be incorporated into planning instruments associated with new settlement in the region in accordance with the requirements of S117 Direction Planning for Bushfire Protection.*
- *Asset protection zones associated with new development will be contained within the developable areas, and will be excluded from areas set aside for the protection of natural or cultural attributes.*
- *New settlement will be planned to include bushfire risk management measures that are relative to the associated fire risk in the locality*
- *The implementation of bushfire risk management measures associated with new settlement will comply with relevant legislative assessment requirements.*

**Comment:**

This planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park. There are no human settlement assets in this area to protect, therefore there are no mitigation measures proposed or provided in regard to bushfire. The land will be managed into the future under the appropriate fire regime as necessary by the relevant government agency.

**Urban Stormwater Management:**

- *A hierarchy of sizes and types of stormwater infrastructure will be provided.*
- *Stormwater infrastructure associated with new development in the region should be designed and constructed in a manner that does not degrade existing natural land-based or aquatic ecosystems or processes.*

**Comment:**

This planning proposal does not conflict with these objectives as it is proposed to gift this study area to the NSW Government as an extension to Jervis Bay National Park.

**Infrastructure Requirements:**

- *All new urban development identified in the Strategy will be provided with reticulated water only if reticulated sewage is available.*
- *On site effluent disposal for rural residential development will be implemented in accordance with DCP 78 etc.*

**Comment:**

There are no human settlement activities proposed as part of this planning proposal for this study area; therefore no infrastructure provision requirements.

## **6. Part 3 – Justification - Questions 4 - 11**

### **6.1 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK – SECTION B**

#### **6.1.1 Question 4 - Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?**

Council's vision under the Community Strategic Plan 2023 is:

*"We will work together in the Shoalhaven to foster a safe and attractive community for people to live, work, stay and play; where sustainable growth, development and environmental protection are managed to provide a unique and relaxed lifestyle."*

The relevant Community Strategic Plan 2023 objectives and strategies include:

#### People:

##### Objectives

- 1.1 Diverse, united and connected communities;
- 1.2 Creative, engaged and learning communities;
- 1.3 Healthy and active communities that feel safe;
- 1.4 Sustainable and socially responsible communities.

*This can be achieved through the following strategies provided in the Strategic Plan:*

- 1.3.1 Develop community, cultural and recreational facilities that are accessible, safe and provide for community needs;
- 1.3.2 Develop sporting and recreation facilities for maximum community use and value;
- 1.3.5 Develop safer communities and help reduce crime in the City.

#### Comment:

This planning proposal provides land for public recreation, private recreation and conservation purposes (through gifting of land for extensions to Jervis Bay National park); all providing active opportunities to promote the health and wellbeing of the existing and future communities of the locality and the wider Shoalhaven and tourists to the region.

#### Place

##### Objectives

- 2.1 A city which values, maintains and enhances its natural and cultural environments;
- 2.2 Population and urban settlement growth that is ecologically sustainable and carefully planned and managed;
- 2.3 Reduced global warming impacts and increased resilience to the effects and impacts of climate change;
- 2.4 Community infrastructure that is environmentally responsible and ecologically sustainable;
- 2.5 Major town centres that are attractive, vibrant and popular destinations;
- 2.6 Settlements that are resilient to the unexpected impacts of natural hazards.

### *Strategies to achieve these objectives*

- 2.1.1 *Support and enable the sustainable use of the natural environment for education, research and recreation;*
- 2.1.2 *Ensure that the natural ecological and biological environments and the built and cultural heritage of the Shoalhaven are protected and valued through careful management;*
- 2.2.2 *Create active and connected foreshores that support and promote the natural environment while encouraging appropriate community recreational use;*
- 2.4.1 *Develop and acquire new infrastructure and assets to meet the needs of the City's growing population and economy while maintaining current asset service levels;*
- 2.4.2 *Develop land use and related plans for the sustainable growth of the City which use the core principles of the Growth Management Strategy and ESD principles, also carefully considering community concerns and the character of unique historic townships ;*
- 2.4.3 *Prioritise the continued development of new and improved pedestrian and cycle paths to help improve transport, public health and environmental outcomes;*
- 2.4.5 *Implement sustainable and responsible stormwater management measures;*
- 2.5.2 *Improve the urban design and landscape appearance of City and town entrances and major thoroughfares;*
- 2.6.1 *Develop management and adaptation plans to mitigate and manage community exposure to coastal processes, natural hazards, climate change and resulting risks.*

### **Comment:**

Areas of high biodiversity significance are proposed to be conserved through this planning proposal as through a conservation as those lands are contiguous with the existing Jervis Bay National Park.

Protection of Aboriginal and European Cultural heritage will be undertaken as part of the future development of the development lands as recommended through appropriate studies associated with the planning proposal progress.

In terms of relevant actions in Council's recently adopted 2014 – 2017 Delivery Program & 2014 2015 Operational Plan, the plan provides in part:

#### *Governance – Deliver Sustainable services*

*Formulate a new and revised Planning Works Program to recognise and complete priority strategic planning initiatives*

- *Continue to resolve the future of "paper subdivisions" within the Jervis Bay-St. Georges Basin Region*

This planning proposal achieves this action by resolving the two paper subdivision areas in The Halloran Trust holdings within Jervis Bay – Callala Bay and Kinghorne Point. The intention is to gift these lands to the NSW Government as an extension of Jervis Bay National Park.

### **6.1.2 Question 5 - Is the planning proposal consistent with the applicable state environmental planning policies?**

This planning proposal has been assessed against the relevant State Environmental Planning Policies, as outlined in **Attachment Three**. The planning proposal is considered to be consistent with the applicable State Environmental Planning Policies.

**6.1.3 Question 6 - Is the planning proposal consistent with the applicable Ministerial Directions (s. 117 directions)?**

This planning proposal has been assessed against the relevant Ministerial Planning Directions, as outlined in **Attachment Four**. The planning proposal is considered to be consistent with the applicable Minister's Directions.

## **6.2 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT - SECTION C**

### **6.2.1 Question 7 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

It is intended through this planning proposal / master plan approach that the areas of particularly high ecological significance will be preserved into the future through gifting of large expanses of land to the NSW Government for an extension of Jervis Bay National Park.

The aim is develop lands of lower significance or which are cleared or disturbed in lieu of those with higher significance attributes such as threatened species or endangered ecological communities, particularly those lands within the most sensitive areas of the catchment of Lake Wollumboola.

Bushfire mitigation and protection i.e. buffers between development and high intensity bushfire threat / hazard / risk vegetation such as those to be protected in conservation reserves will be incorporated into the urban development areas to reduce the potential for adverse impacts upon areas of higher habitat value.

### **6.2.2 Question 8 - Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

#### **Water Quality**

Best practice stormwater management controls will be implemented as part of any proposed urban development, along with a water quality monitoring strategy for receiving waters. The Crookhaven River is an important waterway with many stakeholders including Shoalhaven City Council, oyster farmers, recreational users and commercial fishers. A water quality monitoring strategy will be developed in conjunction with these stakeholders as appropriate to ensure there is widespread acceptance and management of the potential impacts.

The part of the Lake Wollumboola catchment that is within the current ownership of The Halloran Trust (approximately 22% of the total catchment) is mostly regrowth woodland that will be largely conserved through the strategies of this planning proposal. Less than 1% of the catchment is likely to be cleared for the golf course development application currently with Shoalhaven City Council if that is supported by Council. The land within the catchment between the ridge and Culburra Road is identified as an investigation area to determine its potential for some urban development, with neutral or beneficial impact upon the receiving waters of Lake Wollumboola which is offset by the gifting of large areas of higher conservation value lands for an extension of Jervis Bay National Park.

Large areas of the catchment are outside the control of The Halloran Trust and beyond the scope of this planning proposal. Other private holdings as well as national park and state forest make up the majority of the catchment (see Figure 13).

The EPA Water Quality and River Flow Objectives (2006) will be addressed through further investigations into the gateway process for this planning proposal. Proposed urban development will be connected to a reticulated sewage network to minimise water quality impacts.



### ***Impact on Threatened Species***

Extensive flora and fauna surveys across the entire study area have not yet been undertaken. Existing Wildlife Atlas records & studies undertaken to date indicate there are known threatened species and endangered ecological communities within the region. It is one of the aims of this planning proposal is to undertake flora and fauna investigations to determine the location of threatened species and recommend appropriate conservation measures where appropriate, with offsets for marginal habitat both within the region and through other lands in the ownership of The Halloran Trust at Millallen Estate.

To minimise adverse impacts on areas of high biodiversity significance, including threatened species, their habitat or endangered ecological communities; it is proposed to gift somewhere in the vicinity of 800 hectares of land within this study area to the NSW Government for extension to Jervis Bay National Park to ensure its long term conservation into the future.

The majority of these conservation lands are within the catchment of Lake Wollumboola and contain xeric or mesic forest communities which are contiguous with Jervis Bay National Park.

#### ***Vegetation Removal within the Lake Wollumboola Catchment***

The area of development land in the Lake Wollumboola catchment that is proposed in this planning proposal for urban expansion is significantly less than the current zoned Residential 2(c) land under the Shoalhaven Local Environmental Plan, 1985. It is also proposed to rezone lands outside this catchment for urban or development purposes including some cleared lands, in order to minimise the extent of vegetation removed within the catchment.

#### **6.2.3 Question 9 – *Has the planning proposal adequately addressed any social and economic effects?***

Lands have been retained or are proposed to be rezoned to encourage economic growth with the potential for tourist accommodation development along with an expansion of the retail core of Culburra Beach.

It is proposed to maintain a continuing dialogue with the Culburra Beach and Callala Bay communities with respect to social and economic issues. A major component of this proposal is to identify and promote new employment opportunities as well as enhancing the range of social facilities and amenities.

### **6.3 STATE AND COMMONWEALTH INTERESTS - SECTION D**

#### **6.3.1 Question 10 - *Is there adequate public infrastructure for the planning proposal?***

##### ***Culburra Beach Expansion Area***

When LEP Amendment 41 was made to the Shoalhaven Local Environmental Plan 1985, substantial studies were undertaken at the time to assess the infrastructure requirements of the land zoned under that LEP amendment.

The residential zoned land in this planning proposal for the Culburra Beach expansion area is significantly less than the amount of residentially zoned land that currently exists. Therefore, there will be some capacity within existing infrastructure networks to cater for the proposed new zones.

Despite the above, it is anticipated that additional infrastructure provision will be required over the development timeframe (30-40 years) to cater for the proposed growth at West Culburra.

Studies will be required to assess impacts on traffic infrastructure back to the Princes Highway near Nowra, electrical infrastructure, sewer and water infrastructure, along with social infrastructure in and near Culburra Beach and Callala Bay.

Importantly, reticulated sewerage infrastructure will be provided to areas selected for urban development to minimise any impacts on water quality.

Council's Development Servicing Plan for Culburra currently provides capacity in the reticulated sewage network for approximately 600 dwellings, where 602 are proposed within the Part 3A Major Project concept plan for the West Culburra expansion area.

#### *Woods Estate / Callala Bay / Wollumboola*

As the additional residential land in Callala Bay will have an impact on infrastructure, there will be a need to ensure that suitable infrastructure will be provided over the development timeframe (10-20 years) to cater for the proposed growth at Callala Bay.

The proposed growth area has been identified for some time in various strategic plans; it is assumed that the relevant authorities have taken this future growth into account with their forward planning of infrastructure.

Studies will be required to assess impacts on traffic infrastructure back to the Princes Highway near Nowra, electrical infrastructure, sewer and water infrastructure, and social infrastructure in and near Callala Bay including hospitals and schools.

Reticulated sewage infrastructure will be provided to areas selected for urban development to minimise any impacts on water quality.

#### *Kinghorne Point / Arrow Point*

As this planning proposal intends to include all lands within this study area as

### **6.3.2 Question 11 – What are the views of state and commonwealth public authorities consulted in accordance with the Gateway determination?**

A significant amount of consultation has been undertaken in recent months with representatives of Department of Planning & Environment (Brett Whitworth, Mark Parker and George Curtis) regarding the full extent of this planning proposal.

In addition, over the past 12 months, two separate meeting have also been held with the Minister for Planning, Mr Brad Hazzard, to discuss the future of the Halloran Trust landholdings.

A number of meetings have been held with Shelley Hancock MP, the local member, to gauge her views and those of the community she represents, to the proposal.

In addition, a meeting has been held with representatives of OEH and NPWS (Miles Boak, Dianne Garood and others) to discuss high value conservation lands which may form suitable offsets for the development proposals.

Significant consultation has been undertaken with various government departments and local community groups over the Part 3A West Culburra Mixed Use Development. Many of the matters raised during these consultations have significant correlation with the issues that need to be resolved by the Planning Proposal.

Meetings have been held with Shoalhaven Mayor, Joanna Gash and Deputy Mayor John Wells to discuss the views of the Councillors to this planning proposal. Based on the overall significance of this planning proposal, Shoalhaven City Council voted to defer the Halloran Trust landholdings from the Shoalhaven LEP2014.

Further, a number of meetings have been held with Shoalhaven City Council Planning staff (Gordon Clark, Tim Fletcher and others) to discuss this planning proposal.

## **7. Part 5 – Details of Community Consultation**

This planning proposal will be publicly notified by Shoalhaven City Council in accordance with the requirements of Section 57 of the Environmental Planning & Assessment Act, 1979.

Specific stakeholder consultation will be undertaken where considered to be necessary. These will include:

- Public forums
- Separate meetings (if necessary) with stakeholders such as:
  - Shoalhaven City Council;
  - Department of Planning & Environment & other relevant government agencies;
  - Chambers of Commerce from surrounding towns;
  - Progress Associations from surrounding towns;
  - Community Consultative Bodies from surrounding towns (as recognised by Shoalhaven City Council);
  - Crookhaven Oyster Farmers/Australia's Oyster Coast;
  - Jerrinja Local Aboriginal Land Council and other indigenous groups (e.g. Jerrinja Consultants Pty Ltd);
  - Lake Wollumboola Protection Association;
  - Lake Wollumboola Support Group Inc.

Meetings have been held with the members of the local Culburra Beach community on several occasions, with the Jerrinja Local Aboriginal Land Council and with the oyster farmers with respect to both the Part 3A proposal and the proposed golf course. No consultations have yet taken place with the Callala Bay community. It is anticipated that an on-going dialogue with all relevant local communities will be undertaken throughout the course of the preparation of the Master Plan for the Halloran lands.

## 8. **Part 6 – Project Timeline**

The following provides the anticipated timeframe for the progress of this planning proposal; this is subject to change where significant delays occur during the process.

| Task                                               | Anticipated Timeframe             |
|----------------------------------------------------|-----------------------------------|
| Submission of Planning Proposal to RPA             | August 2014                       |
| Commencement date of Gateway determination         | August - September 2014           |
| Completion of Studies                              | 15 months from Gateway submission |
| Government agency consultation                     | 2015 - 2016                       |
| Public Exhibition                                  | 2015 - 2016                       |
| Consideration of submissions                       | 2015 - 2016                       |
| Post exhibition consideration of planning proposal | 2015 - 2016                       |
| Date Relevant Planning Authority make plan         | ?                                 |

## **Attachments**

### **Attachment One – Council resolution to Defer Lands**

#### **Recommendation 9.2**

MOTION:

Moved: Watson / Second: Guile

**RESOLVED** that the Special Development Committee, in accordance with its delegated authority,

- a) Receive the submissions regarding Culburra Beach Expansion Area and Lake Wollumboola for information; and
- b) Defer the zoning of all the Halloran landholdings within the Shoalhaven until a master plan or overall approach for Halloran land has been prepared and considered.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White, Russ Pigg

AGAINST: Findley

#### **Recommendation 9.3.**

Note: Cllr Kearney was absent from the meeting

MOTION:

Moved: Guile / Second: Anstiss

**RESOLVED** that the Special Development Committee, in accordance with its delegated authority:

- a) Receive the submissions outlined in Table 9.3 for information;
- b) Rezone Lot 1 DP 614607, East Crescent, Culburra Beach once the land is in Council's ownership;
- c) Defer the zoning of Copper Cup Point and Kinghorn Point until a master plan or overall approach for Halloran land has been prepared and considered; and
- d) Retain the remaining zones at "Kinghorn Point" as exhibited.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, Baptist, Guile, Watson, White, Russ Pigg

AGAINST: Findley

## Attachment Two – The Halloran Trust Landholdings affected by this Planning Proposal

| No.                                  | LOT AND DP                     | Applicable Zone under SLEP85                                                                                                                                | AREA                                             | No. LOTS |
|--------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|----------|
| <b>Culburra – Long Bow Point</b>     |                                |                                                                                                                                                             |                                                  |          |
| 1                                    | LOT 51 DP1124845               | Rural 1(b), 1(d)                                                                                                                                            | 165.1ha*                                         | 1        |
| 2                                    | LOT 107 DP875249               | Rural 1(a), 1(d)                                                                                                                                            | 2.798ha*                                         | 1        |
| 3                                    | LOT 108 DP875249               | Rural 1(d)                                                                                                                                                  | 6413m <sup>2</sup> *                             | 1        |
| 4                                    | LOT 106 DP875249               | Rural 1(d) EP 7(f3), Land of Ecological Sensitivity                                                                                                         | 64.07ha*                                         | 1        |
| 5                                    | LOT 105 DP875249               | Environmental Protection 7(f3)                                                                                                                              | 26.25ha*                                         | 1        |
| 6                                    | LOT 5 DP1065111                | Residential 2(c), Business 3(f), Special Purposes 5(a) Community Purposes & Aged Persons, EP 7(a), 1%AEP, 25m building line, Land of Ecological Sensitivity | 55.28ha*                                         | 1        |
| 7                                    | LOT 6 DP1065111                | Rural 1(d), Residential 2(c), Business 3(f), Industrial 4(a), Special Purposes 5(c) School, Open Space 6(c) Proposed, EP 7(a)                               | 345.4ha*                                         | 1        |
| 8                                    | LOT 7 DP1065111                | Rural 1(d), Residential 2(c), Land of Ecological Sensitivity                                                                                                | 83.21ha*                                         | 1        |
| 9                                    | LOT 8 DP1065111                | Rural 1(b), 1(d)                                                                                                                                            | 164.5ha*                                         | 1        |
| 10                                   | LOT 61 DP755971                | Residential 2(c), EP 7(a) 1%AEP                                                                                                                             | 38.43ha* (40.46ha less approx. area of reserv'n) | 1        |
| 11                                   | LOT 62 DP755971                | Rural 1(d), EP 7(a)                                                                                                                                         | 13.94ha* (16.18ha less approx. area of reserv'n) | 1        |
| 12                                   | LOT 81 DP755971                | Rural 1(d)                                                                                                                                                  | 16.18ha*                                         | 1        |
| 13                                   | LOT 90 DP755971                | Rural 1(b), 1(d)                                                                                                                                            | 16.18ha*                                         | 1        |
| 14                                   | LOT 63 DP755971                | Rural 1(d), EP 7(a)                                                                                                                                         | 14.60ha* (16.18ha less approx. area of reserv'n) | 1        |
| 15                                   | LOT 80 DP755971                | Rural 1(b), 1(d), EP 7(a)                                                                                                                                   | 16.18ha*                                         | 1        |
| 16                                   | LOT 55 DP755971                | Rural 1(b)                                                                                                                                                  | 23.54ha* (24.28ha less Culburra Rd- DP 221824)   | 1        |
| 17                                   | LOT 56 DP755971                | Rural 1(b), 1(d)                                                                                                                                            | 32.37ha*                                         | 1        |
| 18                                   | LOT 1 DP973063                 | Rural 1(b)                                                                                                                                                  | 5.23ha* (5.86ha less Culburra Rd- DP 221824)     | 1        |
| 19                                   | LOT 1 DP973064                 | Rural 1(b)                                                                                                                                                  | 1.041ha* (1.214ha less Culburra Rd- DP 221824)   | 1        |
| 20                                   | LOT 64 DP1107668               | Rural 1(b), 1(d), EP 7(a), 1%AEP                                                                                                                            | 14.36ha*                                         | 1        |
| 21                                   | LOT 1 DP179045                 | Rural 1(b), 1(d), EP 7(a), 1%AEP                                                                                                                            | 3.675ha*                                         | 1        |
| 22                                   | Reserved roads hatched in blue | Rural 1(b), 1(d), Residential 2(c), EP 7(a), 1%AEP                                                                                                          | 14.59ha (approx. area - scaled)                  | 1        |
|                                      |                                |                                                                                                                                                             | 1117ha (Approx.)                                 | 22       |
| <b>Kinghorne Point – Arrow Point</b> |                                |                                                                                                                                                             |                                                  |          |

| No.                          | LOT AND DP                                                                                                                                     | Applicable Zone under SLEP85                                              | AREA                            | No. LOTS |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|---------------------------------|----------|
| 1                            | Reserved roads                                                                                                                                 | EP 7(f3)                                                                  | 25.22ha (approx. area - scaled) | 1        |
| 2                            | Lots 1-27, 62-109, 138-206, 229-286, 301-316, 335, 343 & 344 in DP13393                                                                        | EP 7(f3)                                                                  | 23.32ha*                        | 221      |
| 3                            | Lots 222-228, 287-300, 317-334, 337 & 338 in DP13393                                                                                           | EP 7(f3)                                                                  | 14.96ha*                        | 41       |
| 4                            | LOT 340 DP13393                                                                                                                                | EP 7(f3)                                                                  | 1284m <sup>2</sup> *            | 1        |
| 5                            | LOT 342 DP13393                                                                                                                                | EP 7(f3)                                                                  | 7499m <sup>2</sup> *            | 1        |
| 6                            | LOT 3412 DP1104686                                                                                                                             | EP 7(f3)                                                                  | 57.2ha*                         | 1        |
| 7                            | LOT 2559 DP13393                                                                                                                               | EP 7(f3)                                                                  | 4.376ha*                        | 1        |
| 8                            | Lots 2456-2472, 2499-2555 in DP16366                                                                                                           | EP 7(f3)                                                                  | 5.912ha*                        | 74       |
| 9                            | LOT 6831 DP877474                                                                                                                              | EP 7(a), 7(f3)                                                            | 13.67ha*                        | 1        |
| 10                           | LOT 31 DP861840                                                                                                                                | EP 7(f3)                                                                  | 5.487ha*                        | 1        |
| 11                           | Reserved roads                                                                                                                                 | EP 7(f3)                                                                  | 2.461ha*                        | 1        |
| 12                           | Lots 2560-2570, 2572-2838, 2840-2939 and 2941-2945 in DP12720                                                                                  | EP 7(f3)                                                                  | 29.05ha*                        | 383      |
| 13                           | LOT 25 DP863737                                                                                                                                | EP 7(f3)                                                                  | 4.574ha*                        | 1        |
| 14                           | LOT 26 DP863737                                                                                                                                | EP 7(f3)                                                                  | 1396m <sup>2</sup> *            | 1        |
| 15                           | Reserved roads                                                                                                                                 | EP 7(f3)                                                                  | 12.54ha*                        | 1        |
|                              |                                                                                                                                                |                                                                           | 199.78ha (Approx.)              | 730      |
| <b>Callala – Wood Estate</b> |                                                                                                                                                |                                                                           |                                 |          |
| 1                            | LOT 53 DP772178                                                                                                                                | Rural 1(d)                                                                | 31.84ha*                        | 1        |
| 2                            | LOTS 9-11, 17 & 18 in DP253793                                                                                                                 | Rural 1(d)                                                                | 6592m <sup>2</sup> *            | 5        |
| 3                            | LOTS 599-622, part LOTS 623-627 & LOT 628 in DP11388                                                                                           | Rural 1(d)                                                                | 2.728ha*                        | 30       |
| 4                            | LOT 507 DP877900 (Nth AND Sth of Beechwood Pde & Currarong Rd)                                                                                 | Rural 1(d), Land of Ecological Sensitivity (north of Forest Road)         | 73.81ha*                        | 1        |
| 5                            | LOTS 18-88, 90-162, 165-167, 169-187, 192, 193, 197-208, 221, 222, 229-273, 277-281, 285, 286, 293-358, 373-389, 400-404, & 410-438 in DP14959 | Rural 1(d), lands north of Forest Road are Land of Ecological Sensitivity | 34.96ha*                        | 349      |
| 6                            | LOTS 104-112, 158-163, 165-178, 180-187 & 189 in DP877898                                                                                      | Rural 1(d)                                                                | 11.84ha*                        | 38       |
| 7                            | LOTS 443-474, 481-656, 664-693 & 696-698 in DP14958                                                                                            | Rural 1(d)                                                                | 24.31ha*                        | 241      |
| 8                            | LOT 189 DP877898                                                                                                                               | Rural 1(d)                                                                | 18.99ha*                        | 1        |
| 9                            | LOT 503 DP877900                                                                                                                               | Rural 1(d)                                                                | 5.763ha*                        | 1        |
| 10                           | LOT 504 DP877900                                                                                                                               | Rural 1(d)                                                                | 3.673ha*                        | 1        |
| 11                           | LOT 505 DP877900                                                                                                                               | Rural 1(d)                                                                | 1.928ha*                        | 1        |
| 12                           | LOT 506 DP877900                                                                                                                               | Rural 1(d)                                                                | 3197m <sup>2</sup> *            | 1        |



| No. | LOT AND DP             | Applicable Zone under SLEP85 | AREA                 | No.<br>LOTS |
|-----|------------------------|------------------------------|----------------------|-------------|
| 13  | LOTS 28-30 in DP755971 | Rural 1(d), EP 7(a)          | 59.25ha*             | 3           |
| 14  | LOT 2 DP775060         | Rural 1(d)                   | 67.43ha*             | 1           |
| 15  | LOTS 8-23 DP877899     | Rural 1(d)                   | 7624m <sup>2</sup> * | 16          |
| 16  | Reserved roads         | Rural 1(d)                   | 8.687ha*             | 1           |
| 17  | Reserved roads         | Rural 1(d)                   | 7.44ha*              | 1           |
| 18  | Reserved roads         | Rural 1(d)                   | 10.32ha*             | 1           |
|     |                        |                              | 364.7ha (Approx.)    | 693         |

**Attachment Three – Advice from Minister of Planning & Environment to Shoalhaven City Council**



**The Hon Brad Hazzard MP**  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on Infrastructure NSW  
**MAYORAL**

*Mayor*  
Councillor Joanna Gash  
Mayor  
Shoalhaven City Council  
PO Box 42  
NOWRA NSW 2541

Shoalhaven City Council  
Received  
14/03/09

**- 6 MAR 2014**

File No. \_\_\_\_\_

Referred to: *4.7c 0*  
*LST 0*  
*mildem 0*

Dear Councillor Gash

I refer to my letter of 4 December 2012 on the draft Shoalhaven Local Environmental Plan. I am pleased that a draft LEP has been provided to Planning and Infrastructure for finalisation.

I understand that in submitting its final plan, Council resolved to "*defer the zoning of all the Halloran (Realty Realization) landholdings within the Shoalhaven until a masterplan or overall approach for Realty Realization land has been prepared and considered*". As you know, Realty Realizations approached me in November 2012 with a proposal for a holistic approach to the development and conservation of its landholdings. I have been supportive of this approach given the environmental sensitivities of the land in the Lake Wollumboola catchment, as well as the opportunities to allow sustainable growth of Culburra and Callala Bay.

I am therefore willing to agree to Council's request that the Realty Realization lands are deferred from the draft LEP to allow the preparation of the proposed Masterplan and Planning Proposal.

While I am willing to agree to the deferral, I am also aware that the planning for this area requires certainty as soon as possible. I am therefore prepared to defer the zoning of the lands until 29 August 2014. If the required proposals have not been submitted to the Agency for Gateway Determination by this time, I may consider mechanisms to zone the land according to the exhibited zones.

As a result of my decision on the deferral, Planning and Infrastructure is now able to complete the work necessary to finalise the making and notification of the draft Shoalhaven LEP. I have asked the agency to complete this work as quickly as possible.

I encourage Council to continue to liaise with Mr Brett Whitworth, General Manager of Planning and Infrastructure's Southern Region, to progress the Masterplan and Planning Proposal further. Mr Whitworth can be contacted on (02) 4224 9455.

Yours sincerely

**HON BRAD HAZZARD MP**  
**Minister**

25 FEB 2014

#### Attachment Four - Relevant State Environmental Planning Policies (SEPP)

| State Environmental Planning Policy                                                                                                                                                                                                                                                                                                                                                                                                                                         | Applies to Land | Impacts upon this Planning Proposal? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------|
| Illawarra Regional Environmental Plan, 1986 (deemed SEPP)                                                                                                                                                                                                                                                                                                                                                                                                                   | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>The provisions of the IREP86 are applicable to lands within this study area which are located to the north of the Lake Wollumboola ridgeline, which divides the Culburra expansion area.</li> <li>There is no prime crop &amp; pasture land, rainforest vegetation, habitat corridor under this LEP applicable to the subject land.</li> </ul>                                                                                       |                 |                                      |
| Jervis Bay Regional Environmental Plan, 1996 (deemed SEPP)                                                                                                                                                                                                                                                                                                                                                                                                                  | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>The study area is not within a habitat corridor or an area of disturbed habitat / vegetation</li> <li>A large part of the study area is within the catchment of Lake Wollumboola, a specified waterbody in the REP</li> <li>A large part of the study area is to be gifted to the NSW Government for an extension to Jervis Bay National Park</li> </ul>                                                                             |                 |                                      |
| SEPP 1—Development Standards                                                                                                                                                                                                                                                                                                                                                                                                                                                | -               | -                                    |
| SEPP 4—Development Without Consent                                                                                                                                                                                                                                                                                                                                                                                                                                          | -               | -                                    |
| SEPP 6—Number of Storeys in a Building                                                                                                                                                                                                                                                                                                                                                                                                                                      | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>This is a general SEPP that clarifies the definition of a storey in a building and it may be pertinent to any future building in the retail core or mixed use commercial / retail / tourist precincts.</li> </ul>                                                                                                                                                                                                                    |                 |                                      |
| SEPP 14—Coastal Wetlands                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>Development within proximity of SEPP14 wetlands</li> <li>Ensures coastal wetlands are preserved and protected</li> <li>Concurrence required for filling, excavation or other works within SEPP 14 wetland</li> </ul>                                                                                                                                                                                                                 |                 |                                      |
| SEPP 15 – Rural Land Sharing Communities                                                                                                                                                                                                                                                                                                                                                                                                                                    | -               | -                                    |
| SEPP 19—Bushland in Urban Areas                                                                                                                                                                                                                                                                                                                                                                                                                                             | -               | -                                    |
| SEPP 21—Caravan Parks                                                                                                                                                                                                                                                                                                                                                                                                                                                       | -               | -                                    |
| SEPP 22—Shops and Commercial Premises                                                                                                                                                                                                                                                                                                                                                                                                                                       | -               | -                                    |
| SEPP 26—Littoral Rainforests                                                                                                                                                                                                                                                                                                                                                                                                                                                | -               | -                                    |
| SEPP 29 – Western Sydney Recreation Area                                                                                                                                                                                                                                                                                                                                                                                                                                    | -               | -                                    |
| SEPP 30—Intensive Agriculture                                                                                                                                                                                                                                                                                                                                                                                                                                               | -               | -                                    |
| SEPP 32—Urban Consolidation (Redevelopment of Urban Land)                                                                                                                                                                                                                                                                                                                                                                                                                   | -               | -                                    |
| SEPP 33—Hazardous and Offensive Development                                                                                                                                                                                                                                                                                                                                                                                                                                 | -               | -                                    |
| SEPP 36—Manufactured Home Estates                                                                                                                                                                                                                                                                                                                                                                                                                                           | ✓               | x                                    |
| <ul style="list-style-type: none"> <li>Manufactured home estates are permissible within urban zones and adjacent rural zones</li> <li>While this SEPP applies to the land, it is unlikely that any sites within the planning proposal will be allocated to this use due to their size.</li> </ul>                                                                                                                                                                           |                 |                                      |
| SEPP 44—Koala Habitat Protection                                                                                                                                                                                                                                                                                                                                                                                                                                            | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>This state policy is applicable where land has an area of more than 1 hectare in contiguous ownership</li> <li>The aim of the policy is conserve and manage areas of natural vegetation that provide habitat for koalas</li> <li>Flora and fauna assessment has been undertaken over large areas of the Culburra Beach planning proposal study area. Koalas have not been found in recent surveys across this study area.</li> </ul> |                 |                                      |

| State Environmental Planning Policy                                                                                                                                                                                                                                                                                                                                                                                                                 | Applies to Land | Impacts upon this Planning Proposal? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------|
| SEPP 47 – Moore Park Showground                                                                                                                                                                                                                                                                                                                                                                                                                     | -               | -                                    |
| SEPP 50—Canal Estate Development                                                                                                                                                                                                                                                                                                                                                                                                                    | -               | -                                    |
| SEPP 52—Farm Dams etc. in Water Management Plan Areas                                                                                                                                                                                                                                                                                                                                                                                               | -               | -                                    |
| SEPP 55—Remediation of Land                                                                                                                                                                                                                                                                                                                                                                                                                         | -               | -                                    |
| SEPP 59 – Central Western Sydney Regional Open Space & Residential                                                                                                                                                                                                                                                                                                                                                                                  | -               | -                                    |
| SEPP 60—Exempt and Complying Development                                                                                                                                                                                                                                                                                                                                                                                                            | ✓               | ✗                                    |
| <ul style="list-style-type: none"> <li>This SEPP will apply to future development within the R1 and other zones, allowing ancillary development to dwelling houses, boundary adjustment between lots, dwelling houses to be determined by complying development certificates etc.</li> </ul>                                                                                                                                                        |                 |                                      |
| SEPP 62—Sustainable Aquaculture                                                                                                                                                                                                                                                                                                                                                                                                                     | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>This state policy will apply to development particularly within the Crookhaven River catchment</li> <li>Consultation has been undertaken with the oyster growers</li> <li>Important to ensure water quality of the Crookhaven River is maintained so that there is no contamination of the oysters which may cause significant health risk to the public</li> </ul>                                          |                 |                                      |
| SEPP 64—Advertising and Signage                                                                                                                                                                                                                                                                                                                                                                                                                     | -               | -                                    |
| SEPP 65—Design Quality of Residential Flat Development                                                                                                                                                                                                                                                                                                                                                                                              | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>Only applies to four storey or higher permanent residential accommodation</li> <li>The mixed use commercial / retail / tourist precincts within the West Culburra expansion area have the potential to contain buildings which may need to be designed in accordance with this SEPP in the future</li> </ul>                                                                                                 |                 |                                      |
| SEPP 70—Affordable Housing (Revised Schemes)                                                                                                                                                                                                                                                                                                                                                                                                        | -               | -                                    |
| SEPP 71—Coastal Protection                                                                                                                                                                                                                                                                                                                                                                                                                          | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>Currently applies to development within 1km of the NSW coast</li> <li>The submission of a Master Plan would be required for residential subdivision within sensitive coastal locations or if more than 25 lots are proposed in the coastal zone outside the sensitive coastal location – applies to West Culburra expansion area but not the Callala Bay western urban development expansion area</li> </ul> |                 |                                      |
| SEPP (Affordable Rental Housing) 2009                                                                                                                                                                                                                                                                                                                                                                                                               | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>Potential may exist for future residential allotments to be used for affordable housing under this SEPP</li> </ul>                                                                                                                                                                                                                                                                                           |                 |                                      |
| SEPP (Building Sustainability Index: BASIX) 2004                                                                                                                                                                                                                                                                                                                                                                                                    | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>This SEPP will apply to future residential development to ensure design and construction meet target water and thermal efficiency requirements.</li> </ul>                                                                                                                                                                                                                                                   |                 |                                      |
| SEPP (Exempt and Complying Development Codes) 2008                                                                                                                                                                                                                                                                                                                                                                                                  | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>This SEPP will apply to future development within the planning proposal study area.</li> </ul>                                                                                                                                                                                                                                                                                                               |                 |                                      |
| SEPP (Housing for Seniors or People with a Disability) 2004                                                                                                                                                                                                                                                                                                                                                                                         | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>This policy provides for specifically designed dwellings, including self-care, or hostel and full care accommodation for older persons or those with a disability</li> <li>This policy can be utilised to provides appropriate housing where Council's LEP does not otherwise permit housing for seniors or people with disability</li> </ul>                                                                |                 |                                      |

| State Environmental Planning Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Applies to Land | Impacts upon this Planning Proposal? |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------|
| SEPP (Infrastructure) 2007                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>Traffic generating development, construction of public reserve construction and a wide range of other infrastructure is permissible without development or with development consent in prescribed zones</li> <li>It is likely that individual stages in future subdivision proposals will be traffic generating development is determined that Culburra Road is a classified road – it is not currently identified by RMS as a classified road – it is an unclassified regional road.</li> </ul>                                                                                                                                                                    |                 |                                      |
| SEPP (Major Developments) 2005                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | -               | -                                    |
| SEPP (Mining, Petroleum Production & Extractive Industries) 2007                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -               | -                                    |
| SEPP (Rural Lands) 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ✓               | ✓                                    |
| <ul style="list-style-type: none"> <li>Applicable to the urban development of currently rural zoned lands – community benefit achieved through this planning proposal as it is likely to result in the conservation of high quality ecologically sensitive lands</li> <li>Rural lands are proposed to be rezoned in this planning proposal to specifically permit residential or potentially rural residential development (i.e. investigation area)</li> <li>Little prime crop and pasture land is being rezoned for urban purposes. That which is mapped within the overall study area is to be conserved though gifting to the NSW Government as an addition to the Jervis Bay National Park</li> </ul> |                 |                                      |
| SEPP (Temporary Structures) 2007                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -               | -                                    |
| SEPP (Urban Renewal) 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | -               | -                                    |

### **Attachment Five – Ministerial Directions - Section 117**

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning on or after the date the particular direction was issued:

| No                                 | Direction                                              | Applies | Relevant | Consistent | Comment on this proposal                                                                                                                                                                                                                                             |
|------------------------------------|--------------------------------------------------------|---------|----------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Employment and Resources</b> |                                                        |         |          |            |                                                                                                                                                                                                                                                                      |
| <b>1.1</b>                         | <b>Business and Industrial Zones</b>                   | ✓       | ✓        | ✓          | Land is identified for business and industrial purposes in this planning proposal. The proposal aims to expand employment lands beyond those currently zoned for business or industrial purposes in the SLEP85.                                                      |
| <b>1.2</b>                         | <b>Rural Zones</b>                                     | ✓       | ✓        | ✓          | It is proposed that rural zones be rezoned though this master plan for urban purposes in lieu of land of high environmental sensitivity to be retained through long term conservation as extensions to Jervis Bay National Park.                                     |
| <b>1.3</b>                         | Mining, Petroleum Production and Extractive Industries | ✗       |          |            |                                                                                                                                                                                                                                                                      |
| <b>1.4</b>                         | <b>Oyster Aquaculture</b>                              | ✓       | ✓        | ✓          | There are active priority oyster leases adjacent to the Culburra Beach expansion area. The provisions of SEPP 62 will be addressed through the gateway process and with ongoing negotiation with the Crookhaven Oyster Farmers.                                      |
| <b>1.5</b>                         | <b>Rural Lands</b>                                     | ✓       | ✓        | ✓          | There is no proposal to rezone land of prime crop and production potential to residential; these lands are located within other lands of lands of high environmental significance which are proposed to be conserved through extensions to Jervis Bay National Park. |
| <b>2. Environment and Heritage</b> |                                                        |         |          |            |                                                                                                                                                                                                                                                                      |
| <b>2.1</b>                         | <b>Environment Protection Zones</b>                    | ✓       | ✓        | ✓          | Highly sensitive environmental areas are proposed to be conserved through gifting of lands to the NSW Government for extensions to the Jervis Bay National Park.                                                                                                     |

| No                                                      | Direction                                          | Applies | Relevant | Consistent | Comment on this proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------|----------------------------------------------------|---------|----------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.2                                                     | <b>Coastal Protection</b>                          | ✓       | ✓        | ✓          | The coastal zone (as mapped under SEPP71) applies to Culburra expansion area and Kinghorne / Arrow Points due to their proximity to either the coast, a coastal lake or a national park within the coastal zone (lands within 1km of the coast). The NSW Coastal Policy & Coastal Design guidelines will be addressed through the gateway process.                                                                                                                                                      |
| 2.3                                                     | <b>Heritage Conservation</b>                       | ✓       | ✓        | ✓          | Aboriginal heritage items are likely to be identified within the study area and an archaeological assessment will form part of the documentation provided through the gateway process                                                                                                                                                                                                                                                                                                                   |
| 2.4                                                     | <b>Recreation Vehicle Areas</b>                    | ✓       | x        |            | There are no proposed recreation vehicle areas within this planning proposal                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>3. Housing, Infrastructure and Urban Development</b> |                                                    |         |          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 3.1                                                     | <b>Residential Zones</b>                           | ✓       | ✓        | ✓          | <p>This planning proposal will incorporate new residential zones which provide a range of living environments from single dwellings, multi-unit housing in medium density form and mixed use buildings.</p> <p>Efficient use can be made of existing infrastructure to facilitate growth in this region.</p> <p>Conservation and protection of high biodiversity environmental lands is proposed through a conservation as National Park, as an offset to facilitate urban expansion in the region.</p> |
| 3.2                                                     | <b>Caravan Parks and Manufactured Home Estates</b> | ✓       | x        | x          | There are no lands proposed for the establishment of caravan parks or manufactured home estates within this overall study area                                                                                                                                                                                                                                                                                                                                                                          |
| 3.3                                                     | <b>Home Occupations</b>                            | ✓       | ✓        | ✓          | To remain consistent with the LEP standard template & Council's SLEP2014, home occupation will remain permissible without consent in the zones which permit dwellings                                                                                                                                                                                                                                                                                                                                   |

| No                          | Direction                                 | Applies | Relevant | Consistent | Comment on this proposal                                                                                                                                                                                                                                                                                                                                                                      |
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| 3.4                         | <b>Integrating Land Use and Transport</b> | ✓       | ✓        | ✓          | Shared pedestrian and cycle pathways are proposed throughout urban zones to be developed through this planning proposal, allowing access to existing and proposed services and recreation opportunities.<br><br>Major road design for future subdivision (such as the current Part 3A application) will be designed and constructed to facilitate public transport services – i.e. bus routes |
| 3.5                         | Development Near Licensed Aerodromes      | ✗       |          |            |                                                                                                                                                                                                                                                                                                                                                                                               |
| 3.6                         | <b>Shooting Ranges</b>                    | ✗       |          |            |                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>4. Hazard and Risk</b>   |                                           |         |          |            |                                                                                                                                                                                                                                                                                                                                                                                               |
| 4.1                         | <b>Acid Sulfate Soils</b>                 | ✓       | ✓        | ✓          | Land identified as high risk will not be developed for urban purposes but utilised where applicable for other purposes such biodiversity conservation areas, e.g. Downes Creek area at Long Bow Point                                                                                                                                                                                         |
| 4.2                         | Mine Subsidence and Unstable Land         | ✗       |          |            |                                                                                                                                                                                                                                                                                                                                                                                               |
| 4.3                         | <b>Flood Prone Land</b>                   | ✓       | ✓        | ✓          | Urban development in areas of high hazard floodway or flood storage will be avoided – land identified as being flood affected is adjacent to the Crookhaven River / Curleys Bay foreshore and these are unlikely to be developed for housing or other habitable structures                                                                                                                    |
| 4.4                         | <b>Planning for Bushfire Protection</b>   | ✓       | ✓        | ✓          | Bushfire Assessment to be undertaken & NSW Rural Fire Service to be consulted as part of Gateway Process with supporting suitably qualified consultant preliminary assessment being undertaken to determine likely future asset protection zones, location of perimeter fire trails, dwelling BAL construction levels etc.                                                                    |
| <b>5. Regional Planning</b> |                                           |         |          |            |                                                                                                                                                                                                                                                                                                                                                                                               |



| No                          | Direction                                                                                           | Applies | Relevant | Consistent | Comment on this proposal                                                                                                                                                                                                                                                                                            |
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| 5.1                         | Implementation of Regional Strategies                                                               | ✓       | ✓        | ✓          | <p>This gives legal effect to current regional strategies such as the South Coast Regional Strategy</p> <p>This planning proposal is generally consistent with the SCRS or where not, meets the sustainability criteria to permit future development.</p>                                                           |
| 5.2                         | Sydney Drinking Water Catchments                                                                    | ✗       |          |            |                                                                                                                                                                                                                                                                                                                     |
| 5.3                         | Farmland of State and Regional Significance on the NSW Far North Coast                              | ✗       |          |            |                                                                                                                                                                                                                                                                                                                     |
| 5.4                         | Commercial and Retail Development along the Pacific Highway, North Coast                            | ✗       |          |            |                                                                                                                                                                                                                                                                                                                     |
| 5.5                         | Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010) | ✗       |          |            |                                                                                                                                                                                                                                                                                                                     |
| 5.6                         | Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)                       | ✗       |          |            |                                                                                                                                                                                                                                                                                                                     |
| 5.7                         | Central Coast (Revoked 10 July 2008. See amended Direction 5.1)                                     | ✗       |          |            |                                                                                                                                                                                                                                                                                                                     |
| 5.8                         | Second Sydney Airport: Badgerys Creek                                                               | ✗       |          |            |                                                                                                                                                                                                                                                                                                                     |
| <b>6. Local Plan Making</b> |                                                                                                     |         |          |            |                                                                                                                                                                                                                                                                                                                     |
| 6.1                         | Approval and Referral Requirements                                                                  | ✓       | ✓        | ✓          | <p>This direction ensures LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>It is unlikely that there will be any additional concurrence requirements within this planning proposal which will lead to a future development proposal requiring referral to the Minister.</p> |

| No                              | Direction                                               | Applies | Relevant | Consistent | Comment on this proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| 6.2                             | Reserving Land for Public Purposes                      | ✓       | ✓        | ✓          | <p>The provision of public services and facilities could be affected by this planning proposal, particularly as the current SLEP1985 provides a specific zone for a high school within the Culburra Beach study area and that is not being provided in this planning proposal.</p> <p>Further, Council had in the draft SLEP2013 did not pursue this future school zone, therefore this planning proposal is consistent with the exhibited draft.</p> <p>The DSLEP2013 RE1 zone on the southern side of Culburra Rd is not being provided for public open space, but an area is being provided within the expansion area Part 3A project for playing fields in lieu of this mapped RE1 zone.</p> |
| 6.3                             | Site Specific Provisions                                | ✓       | ✓        | ✓          | <p>This direction discourages unnecessarily restrictive site specific planning controls within a planning proposal.</p> <p>Lot size maps will be provided that are generally consistent with the current standard for residential subdivision in urban areas. There will be small lot integrated housing provisions applicable to certain areas within the Culburra urban expansion area that may not be represented across the remainder of the Shoalhaven.</p> <p>No consideration has yet been given to the suitability of the expansion areas for dual occupancy subdivision in line with Council's current policies for Callala Bay and Culburra Beach.</p>                                 |
| <b>7. Metropolitan Planning</b> |                                                         |         |          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 7.1                             | Implementation of the Metropolitan Plan for Sydney 2036 | x       |          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## **Attachment Six – South Coast Regional Strategy Sustainability Criteria – Culburra Beach – Callala Bay expansion areas**

| Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCRS                                                                     | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Comments on this Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p><b>1. Infrastructure Provision</b></p> <p>Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way</p> | <ul style="list-style-type: none"> <li>• Development is consistent with South Coast Regional Strategy, any subregional strategy, the State Infrastructure Strategy and relevant section 117 direction/s.</li> <li>• The provision of infrastructure (utilities, transport, open space and communications) is costed and economically feasible based on government methodology for determining infrastructure development contributions.</li> <li>• Preparedness to enter into development agreement</li> </ul> | <p>As provided in Attachment Four above, relevant Section 117 Directions can be achieved through this planning proposal.</p> <p>Future subdivision design will ensure main access roads within the urban expansion areas are of suitable size and design parameters to cater for public transport – in this case buses, where bus services are provided. Connectivity to bus stops will be provided with shared pedestrian and cycle ways throughout the subdivision.</p> <p>Relevant infrastructure (e.g. reticulated water &amp; sewage networks, electricity, telephone and likely broadband) will be provided in urban zones and rural zones where Council's development servicing plans or policies for water &amp; sewage services allow.</p> <p>Open space is being provided through both public and private mechanisms for active and passive recreation, either by specific zoning or through future subdivision design (e.g. that provided in the Part 3A application for Culburra expansion area). Foreshore areas are to be largely conserved for public recreational opportunities or foreshore protection. A playing field area is centrally located within the Culburra expansion area. A low environmental impact private recreation &amp;</p> |

| Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCRS                                                                 | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Comments on this Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>conservation area is provided at Long Bow Point for purposes such as a golf course.</p> <p>To ensure long term preservation of areas of high biodiversity significance throughout the study area as an offset to additional urban development in marginal habitat locations, the identified lands are to be gifted to the NSW Government for an extension to Jervis Bay National Park.</p>                                                                                    |
| <p><b>2. Access</b></p> <p>Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided</p> | <ul style="list-style-type: none"> <li>• Accessibility of the area by public transport and/or appropriate road access in terms of: <ul style="list-style-type: none"> <li>○ Location/land use – to existing networks and related activity centres.</li> <li>○ Network - the area's potential to be serviced by economically efficient transport services.</li> <li>○ Catchment – the area's ability to contain, or form part of, the larger urban area which contains adequate transport services. Capability for land use/ transport patterns to make a positive contribution to achievement of travel and vehicle use goals.</li> </ul> </li> <li>• No net negative impact on performance of existing subregional road, bus, rail, ferry and freight network.</li> </ul> | <p>Bus services operate within the region, by private companies. There are no rail or public authority services provided south of Bomaderry.</p> <p>Private companies operate the bus services to Nowra from Culburra Beach and Nowra on a week day but there are currently few weekend services.</p> <p>The proposal urban expansions of this planning proposal will not result in a reduction in services to the township of Culburra Beach or the village of Callala Bay.</p> |
| <p><b>3. Housing Diversity</b></p> <p>Provide a range of housing choices to ensure a broad population can be housed</p>                                                  | <ul style="list-style-type: none"> <li>• Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>A range of housing types are provided through a range of lot sizes, multi -unit housing sites, mixed use buildings with additional potential for shop top housing, particularly in the Culburra Beach expansion area.</p> <p>Opportunities will exist for small lot integrated housing development which particularly</p>                                                                                                                                                     |

| Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCRS                                                                     | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Comments on this Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>suit older or disabled persons, located close to the town centre of Culburra Beach.</p> <p>Opportunities will exist in the future R1 zones for affordable housing provision under SEPP Affordable Rental Housing</p>                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>4. Employment Lands</b></p> <p>Provide regional/local employment opportunities to support the South Coast's expanding role in the wider regional and NSW economies</p> | <ul style="list-style-type: none"> <li>• Maintain or improve the existing level of subregional employment self-containment</li> <li>• Meets subregional employment projections               <ul style="list-style-type: none"> <li>○ Employment-related land is provided in appropriately zoned areas.</li> </ul> </li> </ul>                                                                                                                                                                                  | <p>There will be no reduction in the provision of employment lands, particularly at Culburra Beach as a result of this planning proposal. The DLSEP2013 IN1 zone will be maintained.</p> <p>Additional employment opportunities exist with the provision of land for business / retail core activities and tourist accommodation in the Culburra expansion area.</p> <p>The future R1 zone will permit a wide range of employment / economic benefit land uses including home occupations, home businesses, child care centres, home industry, neighbourhood shops, office premises, registered clubs and veterinary hospitals.</p> |
| <p><b>5. Avoidance of Risk</b></p> <p>Land use conflicts, and risk to human health and life, avoided</p>                                                                     | <ul style="list-style-type: none"> <li>• No residential development within 1:100 floodplain.</li> <li>• Avoidance if physically constrained land, e.g.:               <ul style="list-style-type: none"> <li>○ High slope.</li> <li>○ Highly erodible.</li> </ul> </li> <li>• Avoidance of land use conflicts with adjacent existing or future land use as planned under relevant subregional or regional strategy.</li> <li>• Where relevant, available safe evacuation route (flood and bushfire).</li> </ul> | <p>No new residential development is proposed within the 1% AEP flood plain of either the Crookhaven River or SEPP 14 wetlands.</p> <p>Areas of high intensity bushfire potential which are proposed to be conserved in this planning proposal and will be separated from urban development by suitable asset protection zones. Future dwelling construction on the urban fringe will meet relevant</p>                                                                                                                                                                                                                             |

| Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCRS          | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Comments on this Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>BAL construction requirements of AS3959-2009 and the requirements of Planning for Bushfire Protection. Future subdivision stages can be designed so that there is a low risk to human health &amp; life as a result of a bushfire emergency.</p> <p>No areas of high slope or highly erodible soils are proposed to be zoned for urban development or rural residential development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>6. Natural Resources</b></p> <p>Natural resources limits not exceeded/environmental footprint minimised</p> | <ul style="list-style-type: none"> <li>• Demand for water within infrastructure capacity to supply water and does not place unacceptable pressure on environmental flows.</li> <li>• Demonstrates most efficient/suitable use of land: <ul style="list-style-type: none"> <li>○ Avoids identified significant agricultural land.</li> <li>○ Avoids productive resource lands – extractive industries, fishing and forestry.</li> </ul> </li> <li>• Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy – requires demonstration of efficient and sustainable supply solution.</li> </ul> | <p>There is sufficient capacity in the water supply systems to cater for additional urban development without compromising environmental flows. The current Culburra zoned 2(c) Residential area is larger than the proposed West Culburra expansion area.</p> <p>There will be no significant loss of agricultural land as a result of this planning proposal. What prime crop and pasture land there is in the study area will naturally regenerate to forest as part of a long term conservation through addition to existing National Park.</p> <p>There are no lands with extractive material resource potential capability (as identified on the original Illawarra Regional Environmental Plan, 1986 maps which applied to the whole of the Shoalhaven prior to the gazettal of the JBREP).</p> <p>Adverse impacts upon oyster aquaculture are considered to be a high priority for this</p> |

| Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCRS                      | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Comments on this Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>planning proposal in terms of human health and water quality outcomes. Objectives relating to water quality and monitoring are provided in this regard.</p> <p>The planning proposal also aims to largely protect fish breeding habitat through the retention of mangroves and riparian vegetation adjacent to the foreshore, particularly of Lake Wollumboola and the Crookhaven River, through the zoning of vegetated areas for Public reserve / Conservation.</p> <p>Future dwelling houses will be designed in accordance with BASIX principles to best practice water and thermal efficiency standards to reduce the reliance on high energy usage for heating and cooling of the dwellings.</p> |
| <p><b>7. Environmental Protection</b></p> <p>Protect and enhance biodiversity , air quality, heritage and waterway health</p> | <ul style="list-style-type: none"> <li>• Consistent with government approved Regional Conservation Plan (if available).</li> <li>• Maintains or improves area of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DEC). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities and their habitats.</li> <li>• Maintain or improve existing environmental condition for air quality.</li> <li>• Maintain or improve existing environmental condition for water quality. <ul style="list-style-type: none"> <li>○ Consistent with community water quality objectives for recreational water use and river health (DEC and CMA).</li> <li>○ Consistent with catchment and stormwater management planning (CMA and council).</li> </ul> </li> </ul> | <p>Large areas of high biodiversity significance are proposed to be protected through gifting to the NSW Government for expansion of the existing Jervis Bay National Park to ensure that such lands are not disturbed for development.</p> <p>This long term conservation allows the provision of offsets for development areas in marginal habitat in favour of conservation of high habitat value lands.</p> <p>While some threatened species assessment has been undertaken to date in relation to the Part 3A Culburra expansion area and the Part 4</p>                                                                                                                                             |

| Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCRS                                                                              | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                                                                                                                | Comments on this Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>Protects areas of aboriginal cultural heritage value (as agreed by DEC).</li> </ul>                                                                                                                                                                                                                                                                                                                        | <p>Golf Course application, these studies are indicative of the vegetation communities throughout the West Culburra study area though detailed studies are to be completed.</p> <p>Water quality assessment and future monitoring will be part of an integrated water cycle management strategy for the future development of the proposed urban investigation lands, particularly those within the catchment of the Crookhaven River and Lake Wollumboola.</p> <p>Lake Wollumboola was nominated as a priority coastal lake for comprehensive protection under the Coastal Lakes Strategy (2003 Coastal Lakes Enquiry - Health Rivers Commission Final Report). A Sustainability Assessment and Management Plan has not yet been completed for this lake.</p> <p>However Shoalhaven City Council prepared an Estuary Management Plan (2000) for the lake prior to it being gazetted as part of the Jervis Bay National Park.</p> |
| <p><b>8. Quality and Equity in Services</b></p> <p>Quality health, education, legal, recreation, cultural and community development and other government services are accessible.</p> | <ul style="list-style-type: none"> <li>Available and accessible services               <ul style="list-style-type: none"> <li>Available and accessible services</li> <li>Do adequate services exist?</li> <li>Are they at capacity or is some capacity available?</li> <li>Has government planned and budgeted for further service provision?</li> <li>Developer funding for required service upgrade/access is available.</li> </ul> </li> </ul> | <p>The expansion of Culburra Beach township has been a priority of Shoalhaven City Council since 1983 and this is recognised through the JBSS with Culburra Beach being recognised as a higher order town centre.</p> <p>The expansion of this area with the provision of additional retail core and business zones increases the capacity of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



| Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCRS | Measurable explanation of criteria | Comments on this Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                          |                                    | <p>township to have a wider range of services available to it.</p> <p>Additional medical centres for the growing population within the township or village can augment existing health services.</p> <p>Ambulance &amp; police services exist in the Culburra Beach township. Provision can be made through the use of the R1 zone for housing for seniors or disabled persons fulfilling a growing community need of an aging population.</p> |