



Planning Proposal (PP006) – Rezoning of The Halloran Trust Landholdings at Culburra Beach, Callala Bay and Currarong

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Attachment F -	Ministerial Directions (Section 117 Directions)
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1 Introduction

This Planning Proposal seeks to rezone land in the Culburra Beach, Callala Bay and Currarong localities for the purposes of residential, commercial, industrial, recreation and environmental purposes. In doing this, the Planning Proposal seeks to address the deferral of the subject land under the *Shoalhaven Local Environmental Plan 2014* (SLEP) consistent with the Ministerial advice issued in this regard.

1.1 Subject Land

The subject land is situated in the Culburra Beach, Callala Bay and Currarong localities within the Shoalhaven LGA. The subject land is approximately 15 km south east of Nowra, as shown at **Figure 1**. A detailed table of the individual allotments subject to this Planning Proposal is provided at **Attachment A**.

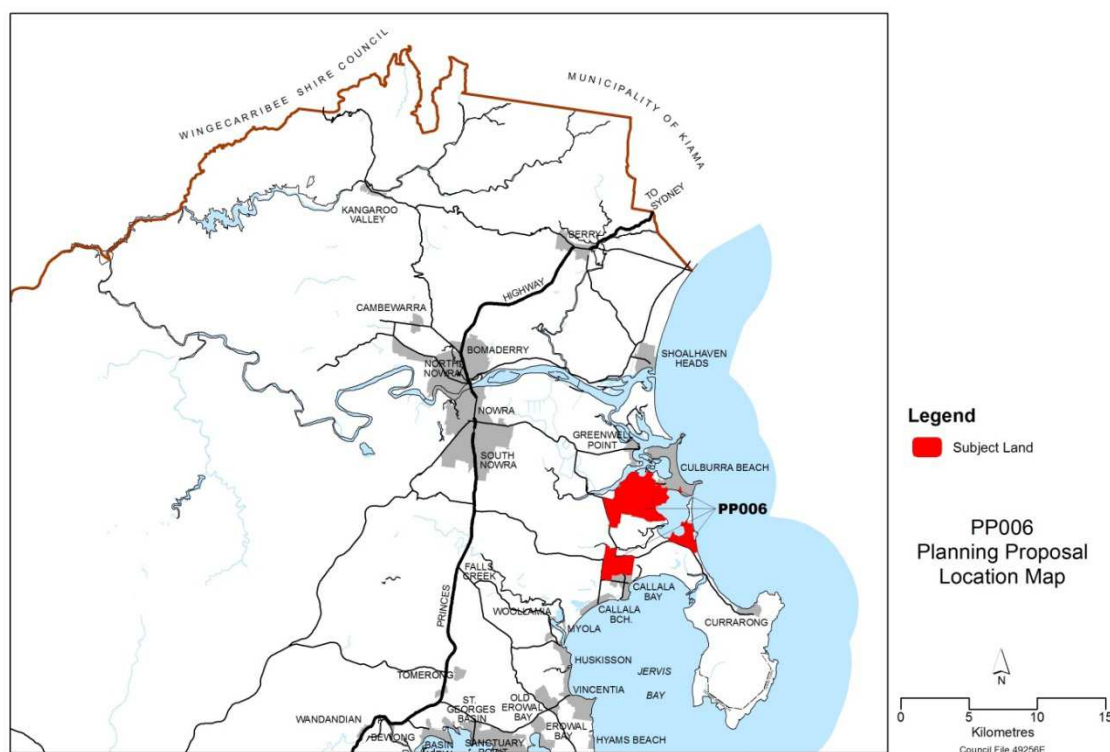


Figure 1 - Location Map

Culburra Beach

The subject land at Culburra Beach is bound by the Crookhaven River and Curley's Bay to the north, Canal Street East, West Crescent and Lake Wollumboola to the east, Jervis Bay National Park (JNP) to the south, and Coonemia Road to the west. The total approximate area of the land in this location subject to this Planning Proposal is 1,117 hectares, and is shown at **Figures 2 and 3**.

The subject land is largely vegetated with some areas partially cleared as a result of the land previously being zoned and used for rural purposes. The land south of Culburra

Road and areas to the north of Culburra Road are located within the catchment of Lake Wollumboola, as shown at **Attachment B**.

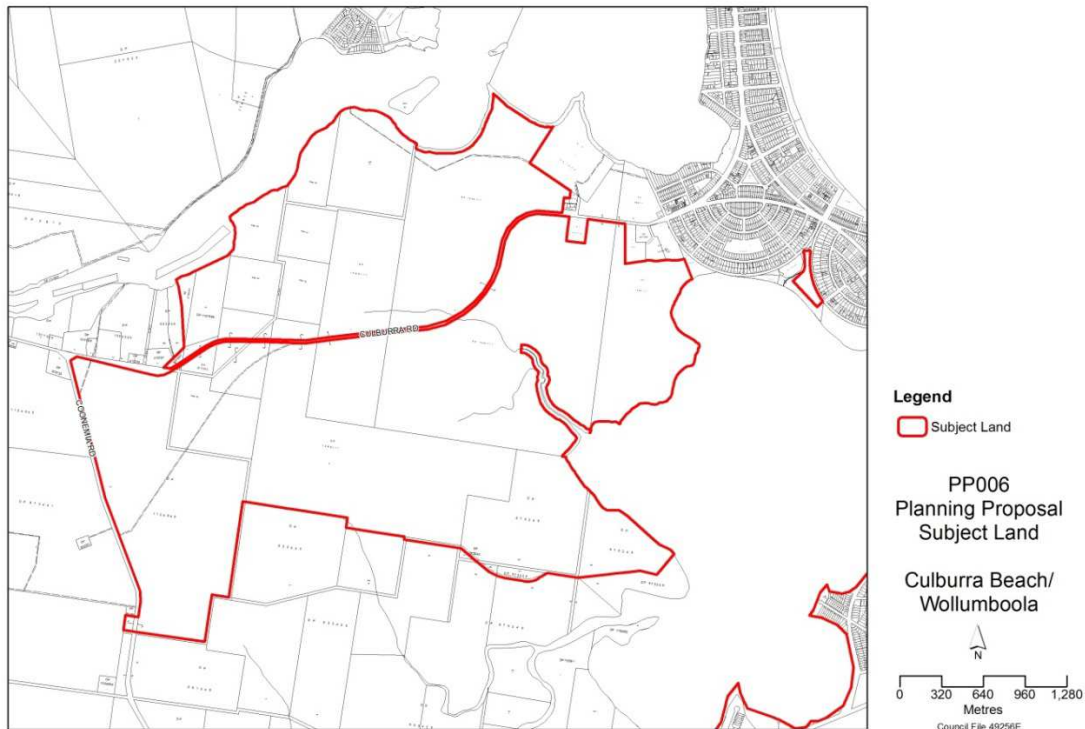


Figure 2 - Subject Land - Culburra Beach



Figure 3 - Aerial Map - Culburra Beach

Callala Bay

The subject land at Callala Bay is bound by the JBNP to the north, the existing residential development of Callala Bay to the east, Emmett Street to the south and Callala Beach

Road to the west. The total approximate area of the land in this location subject to this Planning Proposal is 364.7 hectares, and is shown at **Figures 4 and 5**.

The northern part of the Planning Proposal area encompasses the “paper” subdivision colloquially known as the Woods Estate, which comprises approximately 685 allotments and is identified in the endorsed Jervis Bay Settlement Strategy as an area to be resolved in any proposal.

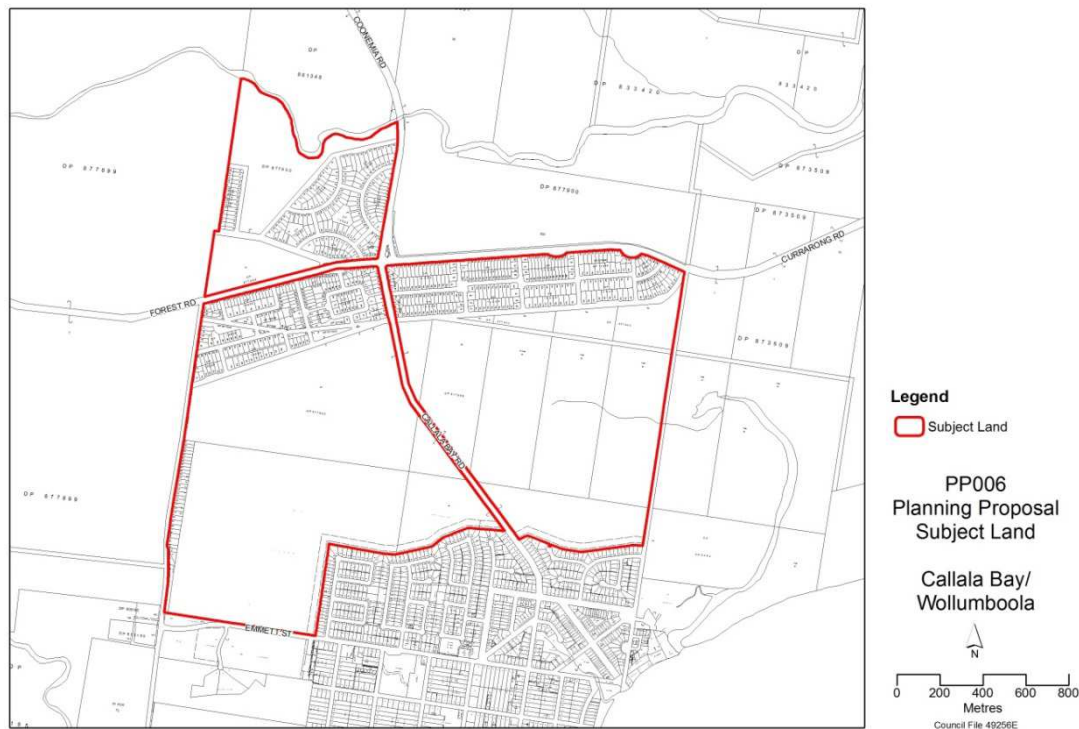


Figure 4 - Subject Land - Callala Bay



Figure 5 - Aerial May - Callala Bay

Currarong

The subject land at Currarong is known as Kinghorne and Arrow Points and has an approximate area of 199.78 hectares, and is shown at **Figures 6 and 7**. The subject land is largely vegetated with some cleared areas including the trigonometric and obelisk site.



Figure 6 - Subject Land - Currarong



Figure 7 - Aerial Map - Currarong

1.2 Background

On 31 July 2013, Council resolved to “defer” the zoning of the subject land from the adopted Shoalhaven Local Environmental Plan (SLEP) 2014 until a master plan or overall approach for the Halloran lands in this location had been prepared and considered. The then Minister for Planning & Infrastructure, Hon. Brad Hazzard MP, agreed to this “deferral” on 6 March 2014 provided a Planning Proposal was submitted for Gateway determination by 29 August 2014. Should a Planning Proposal not be received by this deadline, it was indicated that mechanisms would be utilised to have the land zoned in accordance with the exhibited draft LEP zones.

Council received a Planning Proposal from Allen Price & Associates Pty Ltd (proponent) for the Halloran landholdings on 4 August 2014. This document is included as **Attachment C**. In order to enable Council to consider the Planning Proposal and prepare a submission for Gateway determination, a further extension to this deadline was granted by the Minister for Planning, Hon. Pru Goward MP, till 31 October 2014.

Prior to receiving the Planning Proposal, Council and Department of Planning and Environment (DPE) staff had been involved in ongoing discussions with the proponents during the preparation of their Planning Proposal. During these discussions, it was generally agreed by DPE, Council and the proponent that the preparation and submission of detailed supporting studies and investigations including bushfire, threatened species and traffic, will be made after Council has initially determined whether to support the Planning Proposal.

Given the local and wider interest in this matter, the Planning Proposal was made publicly available by Council. The Planning Proposal was available on Council’s website from 13 August to 5 September 2014 (inclusive). The intention of this pre-consultation was to give Council an understanding of the community’s opinions on this proposal to assist in making a decision whether to proceed further with the Planning Proposal. As a result of the public availability, Council received 141 submissions from community groups, members of the public and one government agency (Office of Environment and Heritage) with generally 88 in support and 53 in opposition. Key points raised in the submissions are summarised in the report to Council’s Development Committee at **Attachment D**.

The report to Development Committee recommended the advancement the Planning Proposal to Gateway determination with the possible exclusion of the residential and recreation areas south of Culburra Road. These areas were recommended to be zoned as exhibited in the draft LEP 2014, to ensure consistency with strategic directions and previous decisions of Council. However the Development Committee resolved on 7 October 2014 that the Planning Proposal be submitted to the Gateway as proposed by the proponent which includes the residential and recreation areas south of Culburra Road. The Council minute in this regard is provided as part of **Attachment D**.

In making this decision Council is keen to see the whole Planning Proposal considered and advanced, without excluding any areas at this point until the more detailed range of studies are prepared and the potential of the overall area at Culburra Beach fully considered. The list of recommended studies will provide greater certainty on the appropriate zoning and future development of the areas.

The resolution of the Development Committee is as follows:

RESOLVED that in accordance with the Committee's delegated authority from Council, that Council:

- a) *Support the PP for the deferred lands at Culburra Beach, Callala Bay and Currarong in principle and commence the process to submit the proposal initially to the Department of Planning & Environment for Gateway determination, subject to the following studies being undertaken after Gateway determination:*
 - i) *Flora and Fauna (including biodiversity offset strategy);*
 - ii) *Geotechnical;*
 - iii) *Stormwater;*
 - iv) *Aboriginal Cultural Heritage;*
 - v) *Flood Risk;*
 - vi) *Bushfire;*
 - vii) *Traffic Impact;*
 - viii) *Visual Impact;*
 - ix) *Community Impact;*
 - x) *Economic / Business Impact; and*
 - xi) *Infrastructure (Delivery Plan).*
- b) *Advise the proponent, CCB's, interest groups and those who submitted comments of this resolution.*
- c) *Receive a further report following the Gateway determination.*

It is also acknowledged that the Planning Proposal will need to be supported and accompanied by various supporting mechanisms (eg. possible Voluntary Planning Agreement or similar) to achieve the tenure outcomes suggested in the Planning Proposal.

2 Part 1 – Intended Outcome

The objective of this Planning Proposal is to resolve and zone the ‘deferred’ land in the ownership of The Halloran Trust at Culburra Beach, Callala Bay and Currarong in the SLEP 2014. The proponent summarised the intended outcomes of this Planning Proposal as follows:

- to achieve optimal land use plan which balances conservation with urban development;
- to provide certainty of land use potential for the owner;
- to promote employment opportunities at Culburra Beach;
- to provide a range of residential environments and densities, appropriate to this coastal location;
- to diversify the range of tourist and recreation facilities available to visitors and residents by identifying appropriate sites;
- to establish Culburra Beach as a significant town in terms of the range of services and facilities that will be available;
- to ensure integration of infrastructure provision in the Wollumboola sub-region;
- to ensure integration of social infrastructure provision in the Wollumboola sub-region;
- to protect the marine / mesic vegetation ecologies that border Lake Wollumboola;
- to provide sites for tourist / visitor accommodation within the ownership;
- to provide sites for residential development at different densities i.e. standard, medium and higher residential density; and
- to identify and conserve areas of ecological and / or scientific and / or archaeological significance.

3 Part 2 – Explanation of Provisions

The Planning Proposal outlines the intended outcomes for the subject land. It is intended that the detailed LEP provisions will be determined following the completion of the proposed detailed studies listed below that will be prepared to help shape the final Planning Proposal prior to public exhibition:

- Flora and Fauna (including biodiversity offset strategy);
- Geotechnical;
- Contamination;
- Stormwater;
- Aboriginal Cultural Heritage;
- Flood Risk;
- Bushfire;
- Traffic Impact;
- Visual Impact;

- Community Impact;
- Economic / Business Impact; and
- Infrastructure (Delivery Plan).

4 Part 3 – Justification

4.1 Section A – Need for the Planning Proposal

4.1.1 Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is the result of a ‘deferred’ matter from the current SLEP 2014. As detailed in the proponent’s Planning Proposal document (**Attachment C**) and earlier in the Background Section (Page 9) the land was ‘deferred’ from Council’s new comprehensive LEP in order to achieve a master plan / overall approach for the Halloran landholdings.

Additionally, resolving the zoning of the subject lands has been subject of several inquiries and strategies, some of the most notable include:

- Long Bow Point Commission of Inquiry commencing in 1996 and completed in 2000;
- Independent Inquiry into Coastal Lakes by Healthy Rivers Commission 2002; and
- Jervis Bay Settlement Strategy 2003;
- South Coast Sensitive Urban Lands Review 2006;
- South Coast Regional Strategy 2007

The context of the above studies / strategies is explained in more detail in this Planning Proposal.

4.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

To achieve the desired outcome of resolving the long standing planning issues and protecting the biodiversity values of the land, the following options are available to Council:

A. Rezone the land as proposed by the proponent.

This option was supported by Council to allow full consideration of the proponent’s proposal, subject to technical studies being undertaken of the site and the outcomes shaping the eventual Planning Proposal outcomes. This also provides an opportunity to resolve the underlying land tenure.

B. Not consider the Planning Proposal and proceed with the exhibited draft LEP zones.

This option is inconsistent with previous Council resolutions, specifically the resolution from July 2013 resolving to defer the zoning of the land until a master plan or overall approach has been prepared and considered, and the resolution of October 2014 to submit the proponent’s Planning Proposal for Gateway determination. This option may also not provide an opportunity to cooperatively resolve the underlying land tenure.

4.2 Section B – Relationship to Strategic Planning Network

4.2.1 Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

South Coast Regional Strategy

The South Coast Regional Strategy (SCRS) provides key regional level guidance applying to the sites in relation to the provision of suitable land to address the employment and housing needs of the Region. The SCRS seeks to 'protect high value environments including pristine coastal lakes, estuaries, aquifers, threatened species, vegetation communities and habitat corridors by ensuring that no new urban development occurs in these important areas and their catchments'.

The SCRS incorporates the recommendations of the Sensitive Urban Lands Review with respect to providing direction on land use and environmental management decisions. As such, the SCRS identifies that sensitive urban lands within Culburra Beach, specifically within the catchment of Lake Wollumboola, are unsuitable for urban development.

The proposal is generally consistent with the overall aims and objectives of the SCRS with the exception of the limitation on urban development in the Lake Wollumboola catchment. The specific locations of the inconsistency are the proposed residential area to the south of Culburra Road and the proposed 'residential investigation area' to the north of Culburra Road (see plans within **Attachment C**), which are located within the catchment area of Lake Wollumboola (**Attachment B**).

To ensure that the aims of the SCRS are still met, studies are recommended to be undertaken following Gateway determination which provide sufficient detail to determine the appropriateness of the development in these locations and the ability to assess any impact or otherwise on Lake Wollumboola. Further assessment of the relevant actions of the SCRS is provided in the proponent's Planning Proposal.

South Coast Sensitive Urban Lands Review 2006

The South Coast Sensitive Urban Lands Review (SULR) was an independent review of 16 areas within Shoalhaven, Eurobodalla and Bega Valley to investigate the suitability of development. The SULR addresses key environmental issues within Culburra Beach and specifically in relation to the Lake Wollumboola Catchment. The SULR recommends that urban development within the catchment of the Lake is unsuitable, principally on the grounds of the potential negative impacts.

The Planning Proposal is inconsistent with the SULR as it proposes residential and low impact recreation / private conservation land uses within the Lake Wollumboola catchment area. Council however have supported this proposal in principle to allow for full

consideration of the Planning Proposal subject to the findings of the studies required as part of the Gateway determination.

Draft Illawarra Regional Growth and Infrastructure Plan

The draft Illawarra Regional Growth and Infrastructure Plan (draft Plan) applies to the whole Shoalhaven Local Government Area including the subject land. At the time that this Planning Proposal was reported to Council's Development Committee, the draft Plan had not been publicly exhibited and therefore was not considered in the report.

The draft Plan identifies the West Culburra area (part of the Planning Proposal area) for potential Greenfield residential capacity to accommodate future population growth.

The draft Plan currently reinforces the recommendations of the Sensitive Urban Lands Review (2006) which deems land within the catchment area of Lake Wollumboola to be unsuitable for urban development due to the potential adverse impacts on the Lake. As such the Planning Proposal potentially is inconsistent with the component of the draft plan.

4.2.2 Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?

- Jervis Bay Settlement Strategy (2003)
- Council's Community Strategic Plan: Shoalhaven 2023

Jervis Bay Settlement Strategy (JBSS)

The JBSS applies to the Jervis Bay Region and establishes a set of principles to manage growth in the Region. The principles aim to preserve natural, cultural and recreational values of the region where there are opportunities for new settlement. Culburra Beach and Callala Bay are two of the 17 towns and villages recognised as having new settlement opportunities. The JBSS identifies issues in these areas related to threatened species, localised habitat corridors, significance of vegetation, buffers to wetlands and watercourses, water quality and stormwater controls, setbacks from roads, flooding and bush fire. These issues will need to be considered in any rezoning process

This Planning Proposal is generally consistent with the actions and outcomes identify in the JBSS with the exceptions of:

- The JBSS requires that future land use in West Culburra Beach be subject to the findings of the Long Bow Point Commission of Inquiry which recommended the refusal of a residential subdivision in West Culburra due to its unacceptable environmental impacts. This Planning Proposal proposes some residential and also recreational use south of Culburra Road.

- This Planning Proposal is inconsistent with the JBSS to a minor extent in Callala Bay as the area proposed for residential purposes is slightly greater than the area identified for ‘possible urban expansion’ at Map 10A.

Community Strategic Plan (CSP)

The Planning Proposal is broadly consistent with Council’s Community Strategy Plan. The relevant objectives and strategy are detailed below and will be considered in the studies recommended as part of the Council resolution.

Objective 2.2	Population and urban settlement growth that is ecologically sustainable and carefully planned and managed
Objective 2.6	Settlements that are resilient to the unexpected impacts of natural hazards
Strategy 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.

4.2.3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is generally consistent with the applicable state environmental planning policies (SEPPs), except for where specified. A full list of the SEPPs is provided at **Attachment E**. The most relevant SEPPs are discussed below.

SEPP 44 – Koala Habitat Protection

- The SEPP requires that land is conserved and managed to provide habitat for koalas. The proponent has identified that previous flora and fauna studies of the sites have not found any koalas. The recommended flora and fauna studies to be completed after the Gateway determination will again survey the land to identify areas of potential koala habitat and core koala habitat.

SEPP 55 – Remediation of Land

- The SEPP requires that contamination and remediation of land be considered in a Planning Proposal. Specifically, it requires that a relevant planning authority not rezone land that is identified as an investigation area declared by the *Contaminated Land Management Act 1997*, development listed in Table 1 of the Contaminated Land Management Guidelines, or development for the purposes of residential, educational, recreational, child care or hospital purposes. The Planning Proposal incorporates land for residential purposes and in some instances development for the purposes of child

care may be permitted with consent. As a minimum, a Stage 1 Contamination Assessment will be undertaken after the Gateway determination.

SEPP 62 – Sustainable Aquaculture

- The SEPP requires that the development of land considers the NSW Oyster Industry Sustainable Aquaculture Strategy. In this strategy, the Crookhaven River is identified as a priority estuary. The proposed urban, industrial and commercial land uses potentially pose a threat to estuary health and ecological integrity of the Crookhaven River and adjacent Curley's Bay. Buffers to coastal/riparian areas need to be investigated and established in order to preserve the water quality of sensitive aquatic environments.

SEPP 71 – Coastal Protection

- The SEPP applies to land within a coastal zone (1 km from the coast). Determining whether the proposed land uses are consistent with the matters for consideration, will be subject to the studies recommended as part of the Gateway determination. Particularly the establishment of measures to conserve existing wildlife corridors; reduce potential conflict between land and water based activities; protect Aboriginal cultural heritage places; and mitigate impacts on water quality of coastal waterbodies.

SEPP (Infrastructure) 2007

- The Planning Proposal is likely to result in development classed as traffic generating development in accordance with the SEPP. In order to consider the aims and objectives of the SEPP, the RMS will be consulted as required after the Gateway determination and as part of the detailed studies that are undertaken.

SEPP (Rural Lands) 2008

- The relevant s117 direction requires that Planning Proposals which affect land within existing or proposed rural or environmental zones be consistent with the principles of the SEPP. The proponent has determined that the Planning Proposal is generally consistent with the SEPP in that a community benefit is anticipated to be achieved through the conservation of high quality ecologically sensitive land. Prime crop pasture land which is currently zoned rural is proposed to be zoned for environmental and residential purposes in order to balance the social, economic and environmental interests.

Deemed SEPP (Illawarra Regional Plan No 1)

- As this is a 'deferred' matter, this Deemed SEPP is relevant to land outside the Lake Wollumboola catchment. The Planning Proposal is generally consistent with the objectives of the Deemed SEPP. The objectives of protecting valuable natural environments through the zoning of land for environmental purposes and proposed dedication to NPWS whilst allowing for future urban expansion in areas of Culburra Beach and Callala Bay will all require closer consideration as the Planning Proposal moves forward.

Deemed SEPP (Jervis Bay Regional Environmental Plan 1996)

- This Deemed SEPP is still relevant to the three locations given their 'deferred' zoning. The Deemed SEPP will be considered through the studies recommended to be completed after the Gateway determination. The recommended studies will identify the natural and cultural values of the land (environmental and Aboriginal cultural heritage values), evaluate their significance within the Jervis Bay context, assess the impact of the Planning Proposal and recommend measures to avoid impact by zoning the land and applying appropriate LEP provisions.

4.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Ministerial Directions are considered in **Attachment F** and those that are more relevant are discussed below.

1.1 Business and Industrial Zones

- Areas for commercial / tourist centres and industrial purposes are proposed within the Culburra Beach lands. Whilst the Planning Proposal is inconsistent with this direction in that it does not retain existing business zones, it is justified as the inconsistency is deemed of minor significance as there is technically no loss in business zoned land, as the existing business zoned land has not yet been developed. In addition, this Planning Proposal proposes additional commercial/tourist centres and an extension of the existing industrial lands in Culburra Beach. An Economic / Business Impact Study has been recommended to be undertaken after the Gateway determination which will give consideration to the proposed commercial and industrial land uses, their extent and the objective of this direction.

1.2 Rural Zones

- The Planning Proposal is inconsistent with this direction as it proposes to rezone part of the land from a rural zone to a residential zone. However, it is considered that this Planning Proposal may be consistent with the terms of this direction in part as the area covered by the Jervis Bay Settlement Strategy. Furthermore, the studies recommended to be completed after Gateway determination will need to give consideration as required to the objectives of this direction.

1.4 Oyster Aquaculture

- The subject lands at Culburra Beach are adjacent to the Crookhaven River which is identified as a priority estuary in the NSW Oyster Industry Sustainable Aquaculture Strategy. The identification of potential adverse impacts as a result of the proposed land uses will be in detail as part of the recommended studies after Gateway determination is made. The proponent has proposed that through the Gateway process, negotiation with Crookhaven Oyster Farmers will take place. In addition, the

Department of Primary Industries will be consulted after the Gateway determination and before public exhibition.

1.5 Rural Lands

- The Planning Proposal is inconsistent as it proposes to rezone existing rural zoned land to residential; however it is justified by the terms of this direction as it is deemed of minor significance as the land is not identified as prime crop and pasture land.

2.1 Environmental Protection Zones

- The Planning Proposal is consistent with this direction as it is not proposing to reduce existing environmental protection zones; instead approximately 65% of the land subject to this Planning Proposal is proposed for environmental protection and dedication to the State Government as an extension of the JBNP. The application of LEP provisions has not yet been determined as studies and investigations will be undertaken to determine appropriate provisions for the protection and conservation of environmentally sensitive areas.

2.2 Coastal Protection

- Areas in Culburra Beach and Currarong are located in the coastal zone. The proponent has suggested that consistency with the *NSW Coastal Policy: A sustainable future for the New South Wales Coast*; *Coastal Design Guidelines 2003*; and the *NSW Coastline Management Manual 1990* will be determined as part of the Gateway process.

2.3 Heritage Conservation

- This direction requires that items of Aboriginal and/or European cultural heritage be identified in a study of the areas environmental heritage. During the initial availability of the Planning Proposal, the Jerrinja Local Aboriginal Land Council submitted comments that identified that the land subject to this Planning Proposal is understood to have potential sites of Aboriginal heritage significance. After the Gateway determination, an Aboriginal Cultural Heritage Study will be completed to identify items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance.

3.1 Residential Zones

- The Planning Proposal is consistent in that it proposes areas for residential purposes at Culburra Beach north and south of Culburra Road, and adjacent Callala Bay. No LEP provisions of specific residential zoning has been determined at this stage, however the intended outcomes of this Planning Proposal is to provide a range of residential environments and densities, appropriate to this coastal location. The current Shoalhaven LEP already contains provisions for residential development requiring appropriate public utility infrastructure under Clause 6 which can be applied to the subject lands as part of the future LEP Amendment.

3.4 Integrating Land Use and Transport

- As detailed in this Planning Proposal, a traffic study will be completed after the Gateway determination. The study will look at existing transport facilities (road and public transport) and assess their adequacy. Additionally it will recommend facilities that may encourage alternative modes of travel, in accordance with the aims, objectives and principles of *Improving Transport Choice – Guidelines for planning and development*, and *The Right Place for Business and Services – Planning Policy*. This study will need to consider future transport connections to/from the Princes Highway.

4.1 Acid Sulphate Soils

- A geotechnical study which assesses the acid sulphate levels in soils will be completed after the Gateway determination. The proponent has indicated that in accordance with the direction, areas of high risk will not be developed for urban purposes. The findings of the study will inform eventual developable areas and the appropriateness of applying an acid sulphate mapping layer to the LEP provisions.

4.3 Flood Prone Land

- A flood risk assessment will be completed after the Gateway determination. Areas identified as flood prone land will be zoned to minimise development potential and ensures that dwellings are not constructed in a flood prone area.

4.4 Planning for Bushfire Protection

- The majority of the area covered by this Planning Proposal is bushfire prone. As such development in this area will need to be considered against Planning for Bushfire Protection. Council will consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination as per this direction and a detailed bushfire assessment will need to be prepared.

5.1 Implementation of Regional Strategies

- The consistency of the Planning Proposal with the SCRS is discussed in Section 4.2.1.

6.1 Approval and Referral Requirements

- The Planning Proposal does not include provisions that relate to concurrence, consultation or referral of development applications or identify development as designated development.

6.2 Reserving Land for Public Purposes

- The Planning Proposal proposes to create new environmental protection zones and facilitate the dedication of land to the State Government. The most significant being the proposed dedication of lands to NPWS as an extension of the JBNP. Council will consult with OEH with respect to the acceptance and process of dedication of the subject environmental land.

6.3 Site Specific Provisions

- The Planning Proposal does not at this stage include site specific provisions and is therefore consistent with this direction. However, following the detailed investigation and exhibition, site specific provisions may be included in the final LEP instrument to achieve the intended outcomes of the proposal.

5.3 Section C – Environmental, Social and Economic Impact

5.3.1 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?

Previous studies and inquiries have identified threatened species and areas of high ecological value within the subject lands. The proponent has identified that the Wildlife Atlas records and studies undertaken to date indicate that there are known threatened species and endangered ecological communities within the region. Particularly in Callala Bay where threatened orchids are known to exist.

At this point, no site specific investigations have been undertaken and in early discussions between Council, DPE and the proponent, it was agreed that investigations will be completed after a Gateway determination. The studies recommended will identify existing critical habitat and threatened species, and the potential impact of any development as a result of rezoning, as part of a detailed Flora and Fauna study which is to incorporate a biodiversity offset strategy.

In order to minimise impact on the high biodiversity significance, it is suggested that approximately 800 hectares of land (approximately 65% of the total area), will be dedicated to NPWS as an extension to the Jervis Bay National Park.

5.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

As stated above, site specific studies have not been completed at this stage to understand any impacts of the Planning Proposal on the environment. The studies recommended to be completed after the Gateway determination includes geotechnical, stormwater, Aboriginal cultural heritage, flood risk and bushfire studies.

5.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

The localities of Culburra Beach and Callala Bay are relatively small coastal towns and villages with a high proportion of non-permanent residents. The proposal has the potential to have positive social and economic impacts through encouraging higher permanent population in the area. This has the potential to ensure sustainability of existing services whilst maintaining areas of high environmental value for environmental purposes and proposed dedication of land to NPWS.

However, it is acknowledged that the creation of new commercial / tourist centres within the Culburra Beach lands may potentially impact on the existing Culburra Beach centre. Additionally, the impact of the development on the existing oyster industry at Curley's Bay is unknown and will need to be fully considered. To ensure that the full extent of the impacts of any development associated with the Planning Proposal are known, and mitigation measures and appropriate LEP provisions can be established, the following studies are recommended to be undertaken after the Gateway determination:

- Economic / Business Impact;
- Visual Impact; and
- Community Impact.

Consultation with the community after Gateway determination will also consider/identify social and economic issues.

5.4 Section D - State and Commonwealth Interests

5.4.1 Is there adequate public infrastructure for the Planning Proposal?

Transport and Roads

The existing road infrastructure may not be sufficient to facilitate the anticipated traffic and car parking demand as a result of the development associated with the rezoning. The impact on the existing traffic network will need to be considered as part of the traffic impact assessment after the Gateway determination.

In Culburra Beach, impacts are anticipated to occur on all roads between Culburra Beach and the Princess Highway at Nowra and South Nowra, and in Callala Bay, additional traffic pressure is expected to occur on Currarong Road and Coonemia Road.

As no traffic investigations have been completed for the Planning Proposal there is not enough information to fully understand the extent of the traffic impact as a result of the rezoning of land. It is recommended that a traffic impact assessment (TIA) that addresses the traffic impacts of the Planning Proposal be completed after the Gateway determination. The TIA must address traffic and car parking impact on adjacent towns and villages (Culburra Beach and Callala Bay), and identify required infrastructure upgrades to accommodate the generated higher demands. The assessment must consider and recommend facilities that may encourage alternative modes of travel including public transport walking and cycling. The traffic linkages back to the State highway network also need full consideration.

In addition, any additional traffic infrastructure or works to existing infrastructure will need to be considered and accounted for in an infrastructure delivery plan. Determining the adequacy of existing public infrastructure will be completed in consultation with the Roads and Maritime Services after Gateway determination.

Water and Sewer

The existing water and sewer infrastructure may not be sufficient in Culburra Beach and Callala Bay. Assessment of the capacity of the existing water and sewer infrastructure and additional servicing requirements will need to be considered as part of an infrastructure (delivery plan) study after the Gateway determination.

The existing and proposed water and sewer infrastructure for land proposed for 'residential' or 'residential – investigation area' in Culburra Beach has been identified in Council's Water and Sewerage Development Servicing Plan (DSP) and supplementary Strategy Reports. However, concept plans have been prepared only for land in the Crookhaven River catchment.

Proposed 'residential' area in Callala Bay has inadequate access to existing and proposed water and sewer infrastructure. In addition, the DSP and supplementary Strategy Reports do not propose water and wastewater infrastructure in Callala Bay.

An infrastructure (delivery plan) study will need to assess the level of servicing for water and sewer required in areas proposed for ‘residential’ and ‘residential investigation’ purposes.

Other

A review of other potentially required public infrastructure facilities as result of development associated with the rezoning, including electricity, social, health and educational infrastructure, is required to be assessed as part of the infrastructure (delivery plan) study.

5.4.2 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council will consult with the following public authorities and any additional public authorities identified in the Gateway determination:

Table 1 - Public Authorities to be consulted

Public Authority	Reason
Office of Environment And Heritage*	Potential impacts to ecological communities, Lake Wollumboola and Crookhaven River catchments, and Aboriginal cultural heritage (prior to public exhibition)
Director-General of Department of Primary Industries	As per s117 Directions 1.4 Oyster Aquaculture
Commissioner of NSW Rural Fire Service	As per s117 Directions 4.4 Planning for Bushfire Protection (prior to public exhibition)
National Parks and Wildlife Services	Process for the dedication of land as an extension of the Jervis Bay National Park
Roads and Maritime Services	Potential traffic impacts and future infrastructure planning

*Please note that a detailed submission has already been received from OEH as a result of the early public availability of the Planning Proposal (see **Attachment G**).

6 Part 4 – Mapping

The maps included in the Planning Proposal have been provided by the proponent and are for information purposes only. The maps identify the site and the proposed generic land uses and areas for investigation. Due to the nature of this Planning Proposal being largely subject to site investigations, specific zonings (and areas) pursuant to the Standard Instrument have not yet been determined.

7 Part 5 - Community Consultation

In accordance with the 'Gateway' determination, the Planning Proposal will be exhibited for a minimum period of 28 days.

Public notification of the exhibition will include notification in the local newspaper, a notice on Council's website. Hard copies of the Planning Proposal would be made available at Council's Administrative Buildings in Nowra and Ulladulla. Council intends to write to all those people who made submissions as part of the pre-consultation, and to the relevant Community Consultative Bodies.

8 Part 6 – Project Timeline

The following milestone timeframes are anticipated and will be revised if any significant delays are encountered during the process.

Table 2 - Projected Timeline

Task	Anticipated Timeframe
Commencement date (date of Gateway determination)	January/February 2015
Completion of Gateway determination requirements – i.e. studies, government agency consultation	July 2016 *Note – this time may need to be extended due to the scope of any studies e.g. – Orchid Flowering season
Public exhibition (minimum 28 days)	August 2016
Post exhibition consideration of Planning Proposal	September/October 2016
Finalisation and notification of Plan	November/December 2016