

# **Planning Proposal for Lot 1 DP707300, Lot 5 DP740252, Part Lot 101 DP1077617, Part Lot 102 DP1077617 and Lot 8 DP258605, Kiama**

**White Constructions Pty Ltd**

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## References

[KLEP]	Kiama Local Environmental Plan 2011
[IRS]	Illawarra Regional Strategy 2006-2031
[IREP 1]	Illawarra Regional Environmental Plan No. 1
[RSUR]	Regional Strategy Update Report 2009
[KUS]	Kiama Urban Strategy
[NSWRFS2006]	NSW RFS (2006) Planning for Bush-fire Protection, A Guide for Councils, Planners, Fire Authorities and Developers. NSW Rural Fire Service, Sydney
[FLORA&FAUNA]	Flora and Fauna Assessment, Ecological Australia Pty Ltd October 2018
[GEOTECH2017]	Preliminary Geotechnical Assessment, Douglas Partners Pty Ltd April 2107
[BUSHFIRE]	Bushfire Assessment, Ecological Australia Pty Ltd December 2016
[ABORIGINAL HERITAGE]	Aboriginal Due Diligence Assessment, BIOSIS Pty Ltd October 2017
[FLOOD]	Flood Study for Rezoning, SitePlus Pty Ltd December 2018
[CONTAMINATION]	Preliminary Site Investigation for Contaminated Land, Douglas Partners Pty Ltd 2017
[EUROPEAN HERITAGE]	Historical Heritage Assessment, BIOSIS Pty Ltd November 2017
[NOISE]	Traffic Noise Intrusion Assessment, Harwood Acoustics March 2018



[SERVICES] Public Service Authority Enquiries, Endeavour Energy and Sydney Water  
[TRAFFIC] Traffic Impact Assessment, Bitzios Pty Ltd August 2018

## **Abbreviations**

APZ	Asset Protection Zone
CVS	Current Visual Status
DCP	Development Control Plan
EPA Act	Environmental Planning and Assessment Act
EPA	Environment Protection Authority
KC	Kiama Council
KLEP	Kiama Local Environment Plan 2011
KUS	Kiama Urban Strategy
LGA	Local Government Area
Master Plan	The proposed development as outlined in this document.
PAD	Potential Archaeological Deposits
RFS	Rural Fire Service
RMS	Roads and Maritime Services

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## **PLANNING PROPOSAL FOR LOT 1 DP707300, LOT 5 DP740252, PART LOT 101 DP1077617, PART LOT 102 DP1077617 AND LOT 8258605, SOUTH KIAMA**

<b>Local Government Area :-</b>	Kiama
<b>Address of Land :-</b>	Lot 1 DP 707300, lot 5 DP740252, part lot 101 DP1077617, part lot 102 DP1077617 and lot 8 DP258605, Kiama (The Site)
<b>Current Zone :-</b>	RU2 Rural Landscape, E2 Environmental Conservation, E3 Environmental Management and SP2 Historic Cemetery
<b>Proposal :-</b>	<p>To amend the zoning of portions of the land from</p> <ul style="list-style-type: none"><li><b>(i)</b> RU2 Rural Landscape to R2 Residential, and</li><li><b>(ii)</b> RU2 Rural Landscapes to E2 Environmental Conservation</li></ul>

## INTRODUCTION

The Site is generally bounded by Old Saddleback Mountain Road to the north, the Princess Highway motorway to the east, Weir Street to the south (except for a small section of land to the south of Weir Street that is within the existing drainage and visual catchments of the site) and a heritage listed dry stacked stone wall along the western boundary of the site. The site is relatively unconstrained and well serviced by the infrastructure necessary to support efficient delivery of an attractive urban neighbourhood that would provide a logical interface with the rural land to the west.

As part of the review and preparation of the Kiama LEP 2011 Kiama Council was required to prepare an urban strategy to guide development in five year increments up to the year 2030. Under the adopted Kiama Urban Strategy the subject site has been identified as suitable for residential development subject to the need for additional lands and the preparation and submission of a planning proposal for the site.

Meetings were held with Kiama Council officers and Department of Planning staff who have identified major issues that needed to be addressed in any Planning Proposal for the site. These issues are discussed in Section 3 of this report and supporting technical studies and reports are contained in Appendices 1 to 12.

The rezoning of the site to Residential R2 would form a logical extension to the existing residential areas in the vicinity of the site and of the Kiama residential area. This submission presents rationale for the recommended zoning changes by:

- Reaffirming the site's urban development potential, and
- Presenting a Master Plan that demonstrates a development outcome which optimizes the potential of the site while acknowledging the identified constraints and objectives of the reports and technical studies undertaken in support of this proposal



**Figure 1 – Location Plan of the Site**



## CONTEXT FOR THE PLANNING PROPOSAL

The Illawarra Regional Strategy 2006-2031 [IRS], the 2009 Regional Strategy Update Report [RSUR] and the Illawarra Shoalhaven Regional Plan (2015) identified there is a need to provide additional affordable housing supply in the Illawarra. The Illawarra Shoalhaven Regional Plan (2015) has estimated that the housing need for the Kiama area from 2016 to 2036 is 2,850 houses/units and that there is not enough land or market ready infill development in the planning pipeline to meet this demand.

The Site is identified as site numbers 3, 14 and part of sites 4 & 5 within the Kiama Urban Strategy. It is proposed to identify the western boundary of sites 3 & 14 as the extremity of urban development within this planning proposal for the following reasons

- (i) There is a continuous heritage listed stone wall along the western boundary of sites 3 & 14, and
- (ii) Lands to the west of this wall are very steep, partially vegetated and are visually prominent from surrounding areas.

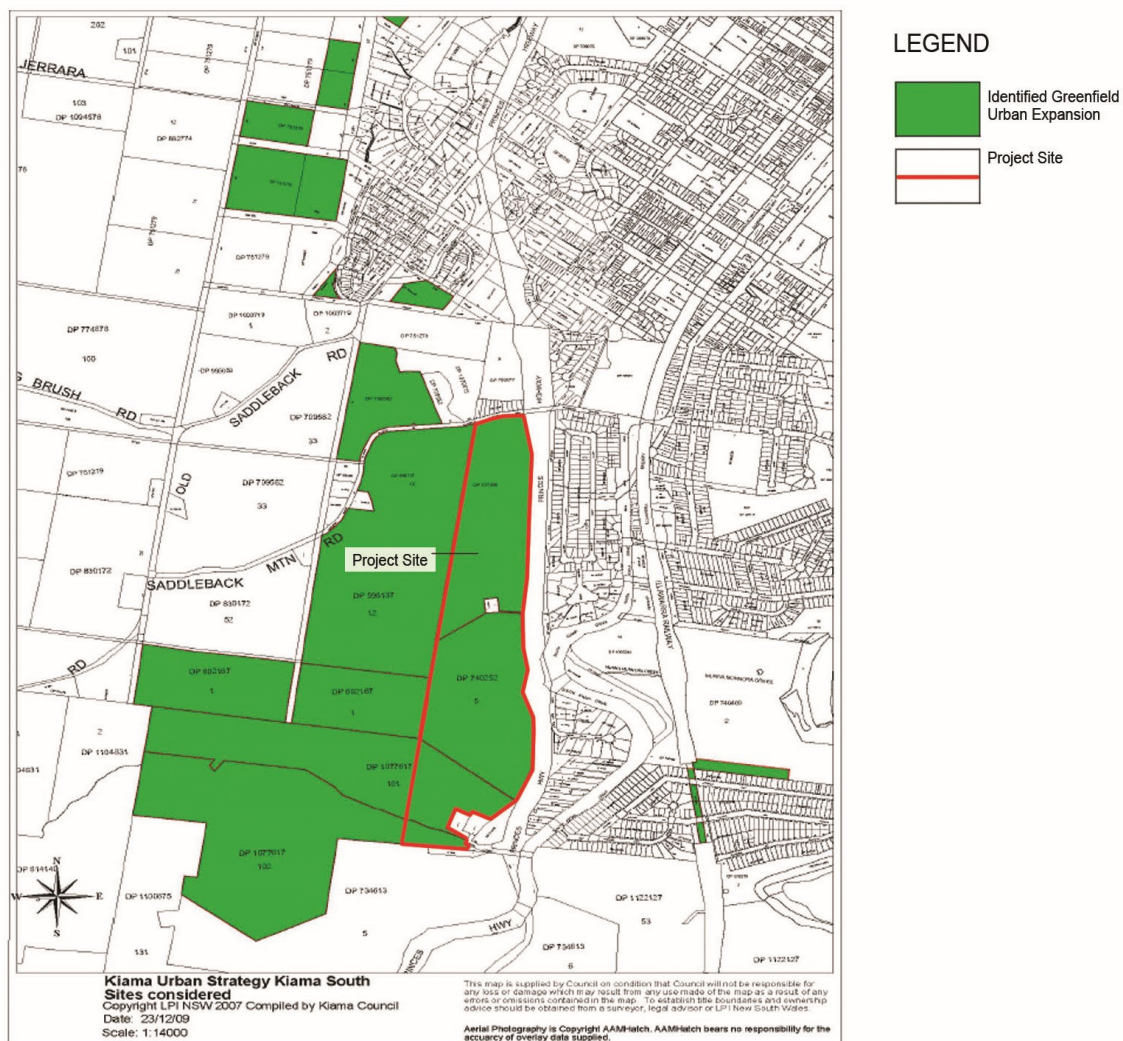


Figure 2– Extract from KUS showing the Site in relation to identified greenfield sites



## **SITE LOCATION AND IDENTIFICATION**

The Site at south Kiama is approximately 40 hectare in area that adjoins existing urban development at Kiama. The site is regular in shape with a maximum plan dimension of approximately 1550m north-south and 360m east-west.

Surface elevations range from 8.5m AHD at the main creek crossing of the Princess Motorway to 80m at the north-western corner of the site. Surface levels fall predominantly in an easterly direction towards the Princess Motorway at grades of 1 to 4 to 1 to 40 with locally steeper sections adjacent to creek lines and drainage depressions.

There are four creeks that traverse the site generally in a west to east direction. The main creek on the site is the upper reaches of Munna Munnora Creek. It is the southern most creek within the site and has a large catchment. It drains just south of the vehicular culvert entrance under the Princess Motorway that provides access to the historic cemetery from South Kiama Drive. Munna Munnora Creek discharges into the ocean at the southern end of Easts Beach. Munna Munnora Creek is classified as a category 2 creek under Kiama LEP 2011. All other creeks within the site are classified as class 3 creeks under Kiama LEP 2011. A tributary of Munna Munnora Creek branches off just inside the site. This tributary tracks in a westerly direction from it's junction with Munna Munnora Creek. The two northerly creeks are minor creeks with limited catchment areas and separate culverts under the highway. Both these catchments drain to the open channel adjacent to Hillview Crescent where it intersects South Kiama Drive and eventually discharges to the ocean at the southern end of Kendalls Beach.



Figure 3: Site Context Plan



The majority of the site is currently zoned RU(2) Rural Landscape under Kiama LEP 2011. The historic cemetery in the middle of the site is zoned SP2 Historic Cemetery, a small section of the vegetation in the south east corner of the site is zoned E2 Environmental Conservation and a small part of Munna Munnora Creek just upstream of the culvert under the Princess Motorway is zoned E3 Environmental Conservation under Kiama LEP 2011. No zoning changes are proposed to the lands currently zoned SP2, E2 and E3. It is noted however that the areas of these zones could be increased as part of this planning proposal to provide buffers around these important areas and to expand protection around areas of Illawarra Subtropical Rainforest and Wetlands within the Munna Munnora Creek.

Given the limited agricultural production capacity of the site, the site's proximity to existing urban areas and the availability of public utilities to service the site it is appropriate for rezoning to allow residential development.

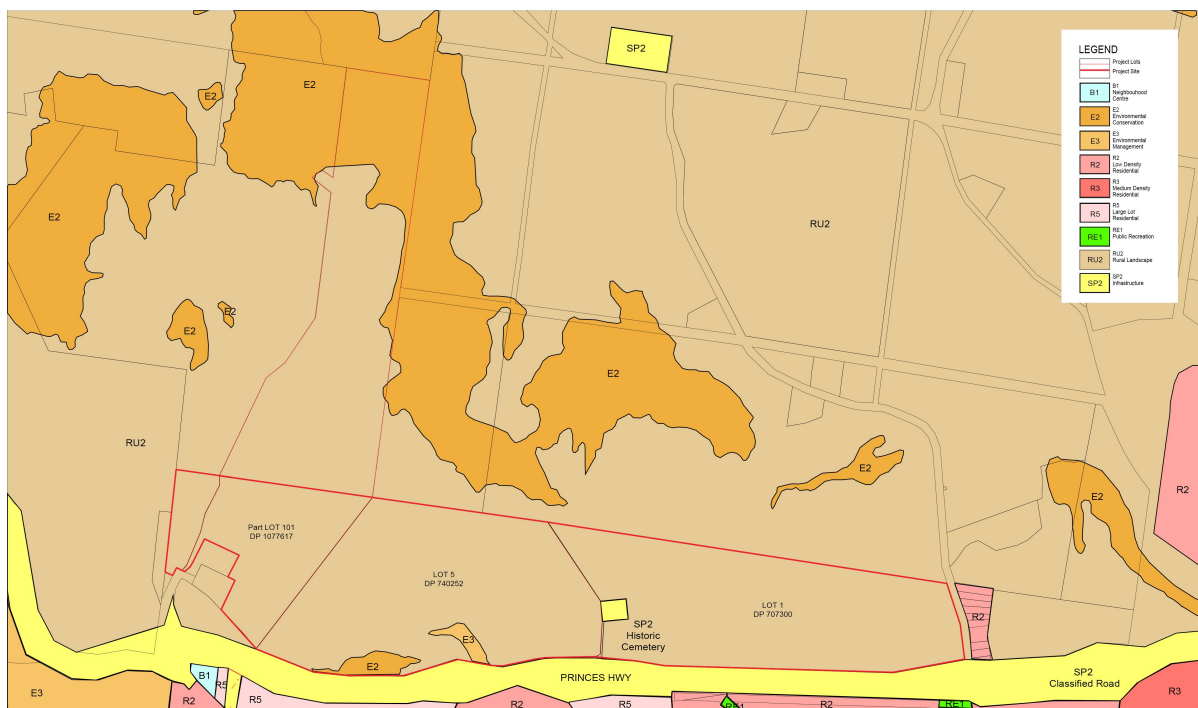


Figure 4: Existing Zoning Plan of the Site

## DEVELOPMENT PROPOSAL

White Constructions Pty Ltd has secured the development rights for the four landowners of the Site. This will allow the integrated development of the entire site and provide

- (i) Three separate road connections to the site
- (ii) The retention and embellishment of the four main creeks through the Site
- (iii) Retention of the remnant rainforest in the south eastern corner of the site
- (iv) Rehabilitation and retention of the main dry stacked walls within the site
- (v) Rehabilitation, retention and protection of the historic cemetery in the middle of the site
- (vi) Protection of the E3 Environmental Conservation zoned wetlands in Munna Munnora Creek within the lower sections of the Site
- (vii) Approximately 285 residential allotments, 140 small residential allotments and 30 townhouses site which will help provide for the 2,850 housing sites required in the Kiama area in the next 20 years

The plan below shows a preliminary layout of the site based on the studies and reports undertaken for rezoning of the site. Some amendments are expected to this plan when more detailed reports and studies are undertaken for any future development proposal for the site after rezoning. However the plan does provide a guide on the development potential of the land and give a good indication of the development yield of the Site



**Figure 5: Masterplan of the Site**

## 1. OBJECTIVES AND INTENDED OUTCOMES

### 1.1 OBJECTIVES

The objectives of the Planning Proposal are

1. To enable for additional residential development at Kiama that
  - (i) Provides additional residential lots that will deliver additional dwellings and residential population within close proximity to schools, shops and community facilities
  - (ii) Provide a mix of residential lots varying in size from 300m<sup>2</sup> to lots >10,000m<sup>2</sup> reinforcing the role of local services, commercial uses, retail and community facilities located within the local area
  - (iii) Is consistent with the adjacent residential development and the principles of the Kiama DCP, and
  - (iv) Provides in part for the projected housing needs of Kiama as identified in KUS and the Illawarra Shoalhaven Regional Plan
2. To amend the Kiama Local Environmental Plan 2011 to incorporate provisions for the rezoning of the site to achieve the above objectives

### 1.2 PROPOSAL

The Planning Proposal comprises

- (i) an amendment to the Kiama Local Environment Plan 2011 to rezone the site to allow
  - the development of approximately 450 low density R2 zoned residential lots and several larger R2/E2 or R2/RU2 split zoned lots with limited building entitlements.
  - Retention and rehabilitation of the riparian corridors through the site.
  - Retention and rehabilitation of the section of remnant rainforest in the south eastern corner of the Site
  - Protection of E3 Environmental Conservation zoned section of Munna Munnora Creek
  - Rehabilitation of the sections of dry stacked stone walls identified with medium to high significance, and
- (ii) The provision of a road connection between Saddleback Mountain Road, Weir Street and the culvert under the Princess Motorway joining the site with South Kiama Drive



The Master Plan (see Figure 5 on page 13 or Appendix 1) incorporates:

- Low density residential lots located over the majority of the Site, 2 or 3 large lots with a split R2/E3 or R2/RU2 zoning in the south east corner of the site which will incorporate areas of steep cleared land and areas of remnant rainforest and area of R2 zoned land between the main road through the site and Munna Munnora Creek. This area is relatively flat and would suit development dual occupancy/ Terrace housing.
- A street pattern and lot layout that makes use of the existing street frontages to Saddleback Mountain Road, Weir Street and the large culvert under the Princess Motorway connecting the Site with South Kiama Drive and provides an efficient interconnected network of streets that will not only allow for the efficient use of future resident but also for the servicing of the development and the provision of multiple access points to and from the development.
- Once alternatively public road access has been provided to the historic Kendall's Cemetery negotiate with Council regarding the closure of any section of the existing public pathway to the cemetery that is not incorporated into a public road.
- Provides a limit to the developable area of the site so that the remnant rainforest in the south eastern corner of the site and the wetlands in the lower reaches of Munna Munnora Creek are not impinged by development and are provided with ample buffers to protect their ongoing viability.
- Provisions of substantial areas of riparian vegetation around the four creeks within the site which not only satisfy the setback requirements in Kiama LEP 2011 but also will provide a width suitable to provide a corridor wider enough to support the rehabilitation of flora within the creeks and the use of the corridor as a fauna habitat and corridor for movement between the coast and the escarpment

Some comments have been made regarding the use of a continuous link road between Saddleback Road and Weir Street and the likely hood that speed controls maybe required along the road. An alternative layout has been developed that still provides the link but within a low speed environment road design. Both layout plans are attached in Appendix 1.

## 2. EXPLANATION OF PROVISIONS

### 2.1 OVERVIEW OF THE LOCAL PLANNING PROVISIONS

The following Environmental Planning Instruments and government programs and strategies apply to the land at Kiama

- Illawarra Shoalhaven Regional Plan (2015)
- Kiama Urban Strategy
- Kiama Local Environment Plan 2011
- Section 9.1 Ministerial Directions under the EPA Act

### 2.2 DETAILS OF SITE SPECIFIC PROVISIONS

The proposed objective will be achieved by

- Amending the Kiama LEP 2011 Land Zoning Map Sheet LSN-012 and LSN-013 so that the proposed residential areas shown on the masterplan (see Figure 5 on page 13) is changed from RU2 Rural Landscape to R2 low density residential
- Amending the Kiama LEP 2011 Land Zoning Map Sheet LSN-012 and LSN-013 by expanding the size of the existing E2 Environmental Management area in the south east corner of the site to incorporate the regrowth rainforest areas and wetlands as identified in the Flora and Fauna Study undertaken in support of this proposal.
- Amending the Kiama LEP 2011 to allow the development of 3 residential building sites adjacent to the expanded E2 Environmental Management zone or the maintained RU2 zone. This could be achieved by providing a split E2/R2 or RU2/R2 zone or providing a new sheet creating a building envelopes within the RU2 area or any other mechanism Council would be comfortable with.
- Amending the Kiama LEP 2011 Biodiversity map Sheet BIO\_013 so that the vegetation is correctly mapped in accordance with the detailed Fauna and Flora study for the site
- Amending the Kiama LEP 2011 Lot Size Map Sheet LSZ\_012 and LSZ\_013 so that the site is coloured green and notated with a "G" signifying a minimum lot size of 450m<sup>2</sup> over the area proposed to be rezoned to R2 low density residential.
- Amending the Kiama LEP 2011 Floor Space Ratio Map Sheet FSR\_012 and FSR\_013 so that so that the area of the Site proposed to be rezoned for R2 residential is coloured light blue and notated with a "C" signifying a floor space ratio of 0.45 : 1
- Amending the Kiama LEP 2011 Height of Building Map Sheet HOB\_012 and HOB\_013 so that the area of the Site proposed to be rezoned to R2 low density residential is coloured green and notated with an "I" signifying a maximum building height of 8.5m
- Amendments to Kiama DCP 2012 to provide local planning provisions for the development.

Amendments proposed to Kiama DCP 2012 would be via a new chapter that would be specific to the site and would need to be adopted by Council prior to the approval of any future subdivision of the site.

The objectives of the new chapter would be

- To ensure amenity impacts to dwelling houses are minimized, in terms of overshadowing, privacy and access to sunlight
- To ensure the size and bulk of dwelling houses are compatible with adjacent and surrounding development
- To encourage lot dwelling houses to provide a pleasant living environment for their occupants.

The development of lots less than 450m<sup>2</sup> would be subject to compliance with requirements in Council's LEP regarding dual occupancies and terrace housing developments. The provision of a mixture of smaller lots within the development would provide a mix of housing types within the site and would provide a more affordable product.

Plans showing the proposed amendments to the LEP maps and possible layout plans are attached in Appendix 1.

### 3. JUSTIFICATION FOR A PLANNING PROPOSAL

#### 3.1 THE NEED FOR A PLANNING PROPOSAL

##### 3.1.1 Is the Planning Proposal the Result of any Strategic Study or Report

The site has been identified in the Kiama Urban Strategy as having the potential to be rezoned to residential if required to help meet the demand for residential low density development as identified in various Illawarra and Illawarra Shoalhaven Regional Strategies.

The main outcome of the Kiama Urban Strategy for this site was that a Planning Proposal should be undertaken on the site to ascertain it's suitability for rezoning to residential.

##### 3.1.2 Is the Planning Proposal the Best Way of Achieving the Objectives?

As site specific environmental, planning and engineering studies were not undertaken in conjunction with the last review of Kiama principal Local Environment Plan and objectives require amendments to the Kiama LEP the planning proposal is the only avenue of achieving the objectives

##### 3.1.3 Is there a Net Community Benefit

Yes there is a net community benefit. The only tangible cost to the community will be the on- going maintenance of roads and public reserves in the development. However the proposal will provide the following benefits

- help to meet the demand for a mix of new residential lots as identified in the Illawarra Shoalhaven Regional Strategy (2015)
- will provide additional population to support local retail and commercial development,
- create a larger rate base for Council without any additional upfront cost
- result in approximately \$3,250,000 being paid through Section 94 contributions towards community works and projects, and
- create a western and southern urban edge to the Kiama township

#### 3.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

##### 3.2.1 Is the Planning Proposal Consistent with the IRS, IREP NO.1 and ISRS

Yes. The Illawarra Regional Strategy 2006-2031 [IRS], the 2009 Regional Strategy Update Report [RSUR] and the Illawarra Shoalhaven Regional Strategy (2015) identifies that there is a need to provide additional affordable housing supply in the Illawarra and that the Kiama Council area has been identified as one location where additional low density residential land needs to be supplied.

The ISRS housing targets for the Kiama Council area are for the provision of 2,850 housing units in the next 20 years

In accordance with the relevant sections of the Illawara Shoalhaven Regional Strategy the development of the site

- (i) does not utilize land that is suitable for food cultivation. The site is unsuitable for long term sustainable agriculture due to the size of the land, proximity to existing residential development, poor soil profile and shallow topsoils
- (ii) does not fragment agricultural land. The site is adjacent to residential development to the north and east and steep sloping partially vegetated rural land to the west and south. The site is on the division between the Kiama Township and the surrounding rural lands, and
- (iii) Utilizes existing infrastructure. Existing water, stormwater and underground/overhead electrical/telecommunication mains extend to the subject site from Weir Street and Old Saddleback Mountain Road. Sewer services are available on the eastern side of the Princes Motorway. Sewer mains would need to be extended under the Princess Motorway. This can be done by directional boring.

Utility mains would be extended throughout the development to provide services to the development and to satisfy the requirements of the Fire Department. The development will not create the need for any additional headworks. Local extensions of sewer and water main would be necessary.

### 3.2.2 Is the Plan Consistent with the Kiama Urban Strategy?

Yes. The Kiama Urban Strategy was developed and refined to satisfy the requirements of the IRS in an orderly and environmentally responsible manner. The strategy was used as a vehicle to prioritize which green field sites should be investigated through the planning proposal process to meet the projected demand for residential development. The subject site was identified as sites 3 and 14 and part of sites 4 and 5 in the KUS. The assessment result for the four sites in KUS was only "to be considered if the four sites are in the one proposal and only if insufficient dwelling numbers are available. Not supported by the Department of Planning and Council"

This application is for the four sites, is required to meet the expected demand for the Kiama area. It is also noted that since development of the KUS both Department of Planning and Council Officers have withdrawn opposition to the proposal subject to technical reports being undertaken that support the rezoning.

### 3.2.3 Is the Plan Consistent with applicable SEPPs?

Yes. The annexed site specific consultant reports satisfy all relevant SEPP for the rezoning of the site from RU(2) rural to R2 residential. The following table reviews the consistency of the planning proposal against all SEPPs



No.	SEPP Title	Planning Proposal Consistency
1	Development Standards	Consistent- The Planning proposal does not contain any provisions that would contradict or effect the application of SEPP 1
4	Development Without Consent and Miscellaneous Exempt and Complying Development	Not Applicable
6	Number of Stories in a Building	Consistent. The Planning Proposal does not propose definition of number of stories
15	Rural Land Sharing Communities	Not applicable
19	Bushland in Urban Areas	Consistent. See Section 3.3.7 regarding retention of remnant rainforest in south east corner of the site.
21	Caravan Parks	Not applicable
22	Shops and Commercial Premises	Not applicable

29	Western Sydney Recreational Area	Not applicable
30	Intensive Agriculture	Not applicable
32	Urban Consolidation	Not applicable
33	Hazardous and Offensive Development	Not applicable
36	Manufacture Home Estate	Not applicable
39	Spit Island Bird Habitat	Not applicable
41	Casino Entertainment Complex	Not applicable
44	Koala Habitat Protection	Not applicable
47	Moore Park Showground	Not applicable

50	Canal Development Estate	Not applicable
52	Farm Dams, Drought Relief and Other Works	Not applicable
55	Remediation of Land	Consistent - the Planning Proposal does not contain provisions that contradict or would hinder application of SEPP 55
59	Central Western Sydney Economic and Employment Land	Not applicable
60	Exempt and Complying Development	Consistent - the Planning Proposal does not contain provisions that contradict or would hinder application of SEPP 60
62	Sustainable Aquaculture	Not applicable
64	Advertising and Signage	Not applicable
65	Design Quality of Residential Flat Development	Not applicable

70	Affordable Housing	Not applicable
	Coastal Management SEPP	Not applicable – the site is not within the coastal zoned identified within the SEPP.
	SEPP (Building Sustainability Index: BASIX) 2004	Consistent - the Planning Proposal does not contain provisions that contradict or would hinder application of the SEPP
	SEPP (Housing for Seniors or People with a Disability) 2004	Consistent - the Planning Proposal does not contain provisions that contradict or would hinder application of the SEPP
	SEPP (Sydney Regional Growth Centres) 2006	Not applicable
	SEPP (Kosciuszko National Park-Alpine Resorts) 2007	Not applicable
	SEPP (Mining, Petroleum, Production and Extractive Industries) 2007	Not applicable

	SEPP (Temporary Structures and Places of Public Entertainment) 2007	Not applicable
	SEPP (Exempt and Complying Development Codes) 2008	Consistent - the Planning Proposal does not contain provisions that contradict or would hinder application of the SEPP
	SEPP (Rural lands) 2008	Not applicable
	SEPP (Western Sydney Parklands) 2009	Not applicable
	SEPP (Affordable Rental Housing) 2009	Consistent - the Planning Proposal does not contain provisions that contradict or would hinder application of the SEPP
	SEPP ( Western Sydney Employment Area) 2009	Not applicable

### 3.2.4 Is the Plan Consistent with applicable Ministerial Directions made under Section 9.1 of the EPA Act

Yes. The annexed site specific consultant reports satisfy all relevant Ministerial Directions under Section 9.1 of the EPA Act for the rezoning of the site from RU(2) rural to R2 residential. Further that the site masterplan generally complies with the various reports and details within this planning proposal.

The following table reviews the consistency of the planning proposal against all Ministerial Directions

No.	Title	Relevance to Planning Proposal
1. Employment and Industrial Zones		
1.1	Business and Industrial Zones	Not Applicable – This direction only applies to a PP that will affect land within an existing or proposed business or industrial zone
1.2	Rural Zones	Inconsistent - the purpose of this direction is to protect the agriculture production value of rural land. The soil profile of the site is dominated by shallow topsoils and rocky outcrops underlain mainly by solid latite. The site does not abutt any prime agricultural land and consequently will not fragment or result in poor usage of prime agricultural land. The site is zoned Rural Landscapes and the site has not been used for commercial farming for many decades
1.3	Mining, Petroleum Production and Extractive Industries	Not Applicable - The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.  There are no known deposits of coal, minerals or petroleum beneath the land
1.4	Oyster Aquaculture	Not Applicable -This direction applies to Priority Oyster Aquaculture Areas. The Site is not within an Oyster Aquaculture area.

1.5	Rural Lands	Inconsistent - The objectives of this direction are to: (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic development of rural lands for rural and related purposes. The land is zoned rural landscapes due to it's poor agricultural value as a consequence of it's soil profile. The rezoning of this site is insignificant compared with the vast majority of prime agricultural land to the west of the urban areas of Kiama.
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2. Environment and Heritage		
2.1	Environmental Protection Zones	<p>Consistent - The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>See Section 3.3.1.1 regarding protection of environmental areas on site. NB the high value environmental areas of the site are not within the proposed development areas of the site</p>
2.2	Coastal Protection	Not Applicable – this site is outside the areas identified under the <i>State Environmental Planning Policy (Coastal Management) 2018</i> .
2.3	Heritage Conservation	Consistent - The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. See Section 3.3.2.2 and Section 3.3.2.3 of the PP
2.4	Recreation Vehicle Areas	Not Applicable – the land is not being developed for the

		purpose of a recreation vehicle area
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable – this direction only applies to the local government areas of Ballina, Byron, Kyogle, Lismore and Tweed

3. Housing, Infrastructure and Urban Design		
3.1	Residential Zones	<p>Consistent - The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.</p> <p>The development proposes a mixture of large lots (&gt;2,000m<sup>2</sup>) medium sized lots (&lt;600m<sup>2</sup> and &gt;450m<sup>2</sup>) and small lots (&gt;300m<sup>2</sup>). Further the site varies between gently sloping land to quite steep land. The mixture of lot sizes and grades will provide for a varying housing and affordability mix.</p> <p>The subdivision will be serviced by extensions to under utilized existing services either abutting or close to the development,</p>
3.2	Caravan Parks and Manufactured Homes	Not Applicable – there are no proposals for the provision of caravan parks in this planning proposal.
3.3	Home Occupations	Consistent - The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling



		houses. Kiama LEP allows for home occupations in Residential zones
3.4	Integrating Land Use and Transport	Consistent – The masterplan for the site has allowed for a linked road network without any culdesacs and a central spline road that could efficiently service the entire development by buses. A link to Council's existing cycleway network is proposed to South Kiama Drive. Kiama High School is only 120m from the NE corner of the site and local shops are located in Manning Street immediately east of the railway line.
3.5	Development Near Licensed Aerodromes	Not Applicable – there are no licensed aerodrome in the area.
3.6	Shooting Ranges	Not Applicable - This direction applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range. There are no shooting ranges adjacent or adjoining the Site.

4. Hazard and Risk		
4.1	Acid Sulphate Soils	<p>Not Applicable - The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>The geotechnical Report for the Site has shown</p> <ul style="list-style-type: none"> <li>(i) mapping indicates that the site is located in an area with '<i>no known occurrences of acid sulphate soil materials</i>';</li> <li>(ii) It is located in a topographically-elevated area (ie RL 12 – 86 m AHD, above the typical elevation below which acid sulphate soils could have developed or be encountered</li> <li>(iii) It is in an area mapped on the 1:50 000 Kiama</li> </ul>

		<p>Geological Series Sheet (Ref 1) as being underlain by Budgong Sandstone or Blow Hole Latite both belonging to the Shoalhaven Group (ie not underlain by Quaternary alluvium within which acid sulphate conditions can occur),</p> <p>In summary it is considered to be negligible (if any) risk of acid sulphate soils being encountered on the site.</p>
4.2	Mine Subsidence and Unstable Land	<p>Not Applicable - The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p> <p>There are no records of historic mines in the area, existing mines or proposed mines in the future</p>
4.3	Flood Prone Land	<p>Consistent - The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>A detailed flood study has been completed for the site that shows (a) the requirements of the NSW Governments Flood Prone Land Policy and the principles of the Floodplain Development manual 2005 are satisfied, and (b) proposed zonings are commensurate with the flood hazards. See section 3.3.1.7</p>
4.4	Planning for Bushfire Protection	<p>Consistent - The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas.</p> <p>To satisfy the Direction a "Bushfire Protection Assessment –</p>

		<p>Rezoning Application” has been completed over the site by Ecological Australia. The purpose of the study was to ensure the development complies with the specification and requirements detailed in the RFS (2006) document ‘Planning for Bushfire Protection 2006’.</p> <p>Rezoning applications require consultation with the NSW RFS. As such rezoning aims to satisfy the requirements of ‘Planning for Bush Fire Protection 2006’ (PBP) which includes having regard to the planning principles of PBP.</p> <p>PBP is currently under review, and a revised version is likely to be implemented in the design stage of this development. The advice herein is based upon the best available information, much of which is identified in existing fast facts and RFS procedural advice that has been utilised for some time. Any DA for the site will need to satisfy the PBP at the time of submission.</p> <p>See section 3.3.1.5 for details.</p>
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5. Regional Planning		
5.1	Implementation of Regional Strategies	This direction was revoked in October 2017 and no longer applies.
5.2	Sydney Drinking Water Catchments	Not Applicable - The objective of this Direction is to protect water quality in the Sydney drinking water

		<p>catchment.</p> <p>This site is not within the Sydney drinking water catchment</p>
5.3	Farmland of State and Regional Significance – NSW Far North Coast	Not Applicable - This direction applies to Ballina Shire Council, Byron Shire Council, Kyogle Shire Council, Lismore City Council, Richmond Valley Council, and Tweed Shire Council.
5.4	Commercial and Regional Development along the Pacific Highway	Not Applicable – this direction only applies to areas along the Pacific Highway within the North Coast of NSW
5.5 - 5.7		Directions 5.5 to 5.7 have been revoked.
5.8	Second Sydney Airport – Badgery's Creek	<p>Not Applicable - The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.</p> <p>The Site is not within the vicinity of Badgerys Creek</p>
5.9	North West Rail Link Corridor Strategy	Not Applicable - This Direction applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.
5.10	Implementation of Regional Plans	Consistent - The Illawarra Regional Strategy 2006-2031 [IRS], the 2009 Regional Strategy Update Report [RSUR] and the Illawarra Shoalhaven Regional Strategy (2015) identifies that there is a need to provide additional affordable housing supply in the Illawarra and that the Kiama Council area has been identified as one location where additional low density residential land needs to be supplied.

		<p>The Kiama Urban Strategy was developed and refined to satisfy the requirements of the IRS in an orderly and environmentally responsible manner. The strategy was used as a vehicle to prioritize which green field sites should be investigated through the planning proposal process to meet the projected demand for residential development. The subject site was identified as sites 3 and 14 and part of sites 4 and 5 in the KUS</p>
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6. Local Plan Making		
6.1	Approval and Referral Requirements	<p>Consistent - The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>It is expected that Kiama Council will be the plan making authority for this Site and LEP provisions would be the same as provisions within KLEP 2011</p>
6.2	Reserving Land for Public Purposes	<p>Consistent - The objectives of this direction are (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>The provision and development of public reserves will be in accordance with Section 94 Contributions Plan and the detailed requirements for individual Development Applications for the Site.</p> <p>Any closure of the existing pathway to the Kendall's Cemetery would be subject to an acceptable alternative public accessway being provided as proposed in the masterplan.</p>
6.3	Site Specific Provisions	<p>Consistent - The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>The Planning Proposal is for the rezoning of the site in accordance with KLEP 2011. No additional restrictive site specific planning controls are proposed or detailed drawings of development included in the rezoning of the site.</p>

7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Not Applicable – This Direction does not apply to the Kiama Council area
7.2	Implementation of Greater Macarthur Land Release Investigation	Not Applicable – This Direction does not apply to the Kiama Council area
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not Applicable – This Direction does not apply to the Kiama Council area
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure	Not Applicable – This Direction does not apply to the Kiama Council area
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable – This Direction does not apply to the Kiama Council area
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable – This Direction does not apply to the Kiama Council area
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not Applicable – This Direction does not apply to the Kiama Council area

### 3.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

This section deals with the environmental, social and economic impacts of the proposal and consists of a review of the specialized site specific report undertaken in support of this planning proposal and the provision of planning comments on visual aspects of the development and economic impacts of the development .

This sections shows that

- The proposal will not adversely impact any threatened species, populations or ecological communities or critical habitats
- That any environmental impacts of the development are minimal and are managed by the proposed environmental works, retention and rehabilitation of vegetated areas and the provision of setbacks and protection zones around environmentally sensitive areas, and
- The planning proposal addresses the social and economic effects of the development

#### 3.3.1 ENVIRONMENTAL

##### 3.3.1.1 FAUNA & FLORA ASSESSMENT

Ministerial Direction 2.1 Environmental Protection Zones under Section 9.1 of the EPA Act applies to the site. The objectives of Ministerial Direction 2.1 “is to protect and conserve environmentally sensitive areas.”

To satisfy this Direction a Flora and Fauna Assessment has been completed over the site by Ecological Australia Pty Ltd. The purpose of the assessment was to identify whether the rezoning of the site to low density residential and subsequent development of the site would have an unacceptable impact upon any endangered ecological communities, threatened species, habitats and connectivity.

The assessment included

- Data base and a literature review
- Flora surveys, and
- Fauna surveys

Relevant legislation considered by the report includes *Environmental Protection and Biodiversity Conservation Act 1999*, *Environmental Planning and Assessment Act 1979*, *Biodiversity Conservation Act 2016* and *Kiama Local Environmental Plan 2011*.

A copy of the Flora and Fauna Assessment is attached in Appendix 8

## SITE SPECIFIC INTERPRETATION

### Flora

The site assessment found

- The subject site has been cleared and used for agricultural purposes for a substantial amount of time
- Remnant native vegetation has only been retained in the south east corner of the Site mainly on the steep and poorly accessed areas between the Princess Motorway and Munna Munnora Creek. There are also small areas of remnant vegetation associated with rocky outcrops over the site.
- Upslope of the site is a significant rainforest remnant on the crest and upper slopes bounded by cleared rural land with associated dwellings.
- Field survey identified 12 different vegetation units on the site. Due to non-conformity with standardized communities the survey of the units was undertaken largely for habitat identification. The remnant rainforest upslope of the site and the six identified rainforest remnants in the east and south east of the site are representative of the Illawarra Subtropical rainforest Endangered Ecological Community (EEC). The weed infested areas of regrowth around rainforest remnants, in patches of rocky outcrops to the south, along steep banks of Munna Munnora Creek and along sections of rock walls were considered less representative examples of this EEC.
- Vegetation on the Site was predominantly pasture and associated dams with six areas of rainforest remnant, low value rainforest regrowth, stone walls and rocky outcrops and instream freshwater wetland vegetation.
- A total of 174 flora species were identified within the study area during the field investigations, of which 66 are exotic species. Six species of plants declared priority weeds of the Illawarra, of which Kiama Municipal Council LGA forms a part of were found in the study area during the 2016 survey.
- A single mature *Zieria granulata* was found on a rocky outcrop adjacent to a rainforest was the only threatened plant found on site. Due to separation from other plants it is unlikely the single mature *Zieria granulata* is viable as an in-situ local population.
- the thin ribbon of remnant wetland vegetation along Munna Munnora Creek, and the channel of an unnamed watercourse in the north was considered to be part of the EEC – *Freshwater Coastal Wetlands on Coastal Floodplains*. This EEC was considered to have been derived from removal of the original rainforest which would have enclosed these habitats.

### Fauna

A total of 38 fauna species were detected over the 2016 survey period (**Appendix C**). This is likely to be a result of the identified survey limitations as well as the ecological constraints of the study area i.e. disturbance history, fragmentation and edge effects

The Spotted Harrier was the only threatened fauna species observed as an incidental fly over, with the Cattle Egret being the only migratory species recorded. Another 11 threatened fauna and 8 migratory species were considered potential occurrences in the study area, but only using parts of the site as part of their non-breeding range, with all fulfilling the majority of their lifecycle requirements outside the study area due to their ecology and habitat limitations.

## HOW THE MASTERPLAN SATISFIES THE INTENT OF MINISTERIAL DIRECTION 2.1

The proposal will see conversion of the majority of the site into a residential subdivision. This will primarily see loss of the pasture, scattered trees, and dams; with a small patch of low value regrowth in the south and some edges in the east modified or removed.

Any DA for the site affect areas of rainforest, wetlands or waterways will need to consider the requirements of the Biodiversity Conservation Act 2016 and Water Management Act..



The impacts on EECs are very low – a road crossing will remove/modify a very small part (0.17 ha) of the highly degraded EEC – *Freshwater Coastal Wetlands on Coastal Floodplains*; and a small area of the NSW EEC – *Illawarra Subtropical Rainforest of the Sydney Basin Bioregion* generally comprising the aforementioned patches and regrowth on the rock walls. The *Z. granulata* is retained within a reserve.

These impacts are offset via a range of mitigation measures, the most significant being the revegetation of the major watercourses with rainforest vegetation, and rehabilitation of about 1.95ha of low value regrowth via targeted weed control. This vegetation will also be protected in a reserve, and the increased connectivity to the upslope rainforest will benefit dispersal and carrying capacity. It is also recommended that the *in situ* *Z. granulata* population be expanded via cultivating cuttings from local plants and planted on site to encourage genetic heterozygosity of the local population within a protected area.

Assessment under the Seven Part Tests determined that none of the known or potentially occurring threatened species, Endangered Population or EECs were likely to be placed at risk of extinction, or otherwise significantly impacted. Hence a Species Impact Statement is not considered required.

Assessment of the Grey-headed Flying Fox, *Z. granulata* and three other potentially occurring threatened plants; as well as the Cattle Egret and several other potentially occurring birds under the Matters of National Environmental Significance assessment criteria determined that none of these entities would be significantly impacted. Consequently, referral was to the Department of the Environment and Energy was not considered warranted. The assessment found that the fauna habitats on the subject site are very limited and that a relatively small number of common birds, reptiles and amphibians would use the site for foraging.

#### *Mitigation Measures*

Section 7 of the Report lists 7 mitigation measures to manage the potential impacts of the proposal and to improve environmental outcomes. Items 2 to 7 relate to measures that need to be implemented at Development Application stage. Only item 1 relates to the zoning stage of the development. Item 1 recommends the rezoning of retained portions of the Illawarra Subtropical Rainforest and the wetlands to E2 in conjunction with the rezoning of the site from RU2 to R2. The proposed zoning plans reflect this recommendation.

#### *Conclusions*

Eco Logical Australia was engaged by Unicom Development Pty Ltd to undertake a Flora and Fauna Assessment (FFA) for the proposed rezoning and future residential development of the nominated portion of Lot 1 DP 707300, Lot 5 DP 740252, Part Lot 101 DP1077617 and Part Lot 102 DP 1077617, Kiama. A range of ecological values were identified in the subject site.

At the submission of a development application for subdivision under Part 4 of the EP&A Act, the proponent would be required to

- (a) prepare a Biodiversity Development Assessment Report, as the proposed development is likely to trigger the Biodiversity Offsets Scheme.
- (b) consider impacts on vegetation mapped under the terrestrial biodiversity overlay and impacts on watercourses mapped under the riparian lands and watercourses map in the Kiama LEP, and
- (c) Undertake tests of significance under the EP&A Act and EPBC Act. Impact assessments would be required for 13 threatened ecological values (Table 11). The application of tests of significance would be unlikely to constitute a significant impact of any of the threatened ecological values outlined in Table 11.

### 3.3.1.2 GEOTECHNICAL

A preliminary geotechnical assessment has been prepared by Douglas Partners to ascertain the suitability of the site for residential development. An assessment of geotechnical issues was required for 'due-diligence' purposes and for submission to Kiama Council with a Rezoning Application. Assessment was undertaken to provide

- information on the geotechnical suitability of the site for residential development
- comment on site preparation measures, stability assessment, likely lot classifications, foundation options and pavement thickness design, and
- to assess the likelihood of encountering Acid Sulphate Soils (ASS)

The investigation comprised a review of available information and field mapping by a Principal Geotechnical Engineer, engineering analysis and reporting. Details of the work undertaken and the results obtained are given in the report together with preliminary comments relating to design and construction practice. The Report is attached in Appendix 3.

#### SITE SPECIFIC ASSESSMENT AND INTERPRETATION

The preliminary geotechnical assessment has indicated that

- the Site is geotechnically suitable for a residential subdivision.
- Stability assessment has identified 5 stability zones within the Site ranging from low to high. Areas of deep clay soils with potential or identified groundwater seepage have been classified *moderate to high* risk. Residential building envelopes are generally not recommended in moderate—to-high or high risk areas, although the risk classification of some sections of the *moderate to high* risk areas could be revised to *moderate* risk following installation of surface and subsurface drains.
- Based on the results of the investigation and previous experience in similar geological settings, the following comments are provided with respect to acid sulphate potential:
  - (iv) Reference to web-based mapping indicates that the site is located in an area mapped as '*unknown occurrences of acid sulphate soil materials*';
  - (v) The site is located in a topographically-elevated area (ie RL 12 – 86 m AHD, above the typical elevation below which acid sulphate soils could have developed or be encountered
  - (vi) The site is in an area mapped on the 1:50 000 Kiama Geological Series Sheet (Ref 1) as being underlain by Budgong Sandstone or Blow Hole Latite both belonging to the Shoalhaven Group (ie not underlain by Quaternary alluvium within which acid sulphate conditions can occur), and
  - (vii) In summary, the geological setting is inconsistent with the occurrence of acid sulphate soil conditions and therefore, there considered to be negligible (if any) risk of acid sulphate soils being encountered on the site.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE GEOTECHNICAL ASSESSMENT

The Douglas Partners report [GEOTECH] is a site specific assessment that reviews the suitability of the proposed Master Plan with regard to geotechnical constraints and the likelihood of the presence of ASS. The report highlights the need to provide subsoil drainage in one particular section of the site that would be satisfied with the future construction of roads and associated drainage.

Based on the report there are no restrictions geotechnically to the development of the site.

### 3.3.1.3 TRAFFIC NOISE

Due to the location and topography of the site adjacent to and uphill from the Princess Motorway Harwood Acoustics were engaged to undertake a Noise Intrusion Assessment for the proposed development.

The closest potential future dwellings to the Princes Highway will be located at a distance of approximately 20 metres and the furthest at a distance of approximately 380 metres. The topography of the land is such that the Site undulates significantly where some areas of the Site have direct line of sight to the Highway and some areas are acoustically shielded.

Generally new residential dwellings constructed near busy roads require an assessment to be undertaken in accordance with 'Development Near Rail Corridors and Busy Roads – Interim Guidelines 2008'. The Guidelines refer to Clause 102 of the State Environment Planning Policy (Infrastructure) 2007 (SEPP) which sets internal noise level criteria from road traffic noise emission. These are 35 dBA (Leq) inside bedrooms between 10 pm and 7 am and 40 dBA (Leq) inside all habitable spaces at any time.

#### SITE SPECIFIC ASSESSMENT AND INTERPRETATION

Traffic noise surveys throughout the months of June, July and August 2016 were undertaken. Noise surveys included long-term unattended monitoring as well as attended noise surveys at several locations across the development.

Noise measurements were used to establish the day time and night time traffic noise levels at the various monitoring locations. The topography of the Site is such that areas to the north and south and west are elevated with clear line of sight to all lanes of the Highway, whereas sections in the centre and eastern side of the Site are shielded, at least in part.

It can be seen that dwellings within close proximity to the Highway will require varying degrees of acoustical treatment to ensure that the internal noise limits set by Clause 102 of the SEPP (Infrastructure) 2007 can be met. The extent of acoustical treatment will depend on several factors including the size of rooms, portion of glazing, orientation of glazing, type of floor coverings, acoustical shielding from other buildings and boundary fences and whether the dwellings are single or double storey. A final assessment of individual dwellings within 150 metres of the Princes Highway should be undertaken prior to the issue of a Construction Certificate to ensure the internal noise limits will be met, once architectural or building design plans are available.

Given the topography of the Site, roadside noise barriers will not provide significant attenuation across the entire Site. In any event, for even the closest dwellings to the Highway, the construction methods and materials required to ensure the internal noise limits set by Clause 102 will not be significantly onerous.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE GEOTECHNICAL ASSESSMENT

Acoustical treatment will be required for the majority of dwellings within 150 metres of the Highway. Acoustical treatment will not be significantly onerous and examples are given in Section 5 of Noise Intrusion Assessment Report found in Appendix 4 of this report. Final assessments should be required prior to the issue of a Construction Certificate for any dwellings within 150 metres of the Princes Highway.

#### 3.3.1.4 SITE CONTAMINATION

A Preliminary Site Investigation (PSI) Report of contaminated lands has been undertaken on the site to assess whether the site is compatible with residential development. The Preliminary Contamination Report is attached in Appendix 5.

#### SITE SPECIFIC ASSESSMENT AND INTERPRETATION

The scope of work for the Preliminary Contamination Assessment comprised

- review of readily available site information, comprising geological and topographical maps and groundwater bores registered with the NSW Department of Primary Industries, Water
- A review of readily available site history information, comprising:
  - o Current and historic title deeds;
  - o Historical and current aerial photographs;
  - o Public databases held under the Contaminated Land Management Act 1997 and the Protection of the Environment Operations Act 1997;
  - o Records held in the SafeWork NSW Stored Chemical Information Database (SCID); and
  - o Readily accessible Council Records and the Section 149 (2&5) certificate;
- A site walkover to identify conditions that may indicate a potential for contamination and determine associated environmental receptors
- The preparation of this report detailing the methodology and the findings of the PSI, commenting on the potential for contamination at the site; identifying observed areas of environmental concern and associated potential contaminants; providing comment on the compatibility of the site for its proposed usage; and recommendations for further assessment.

Based on the findings of the site history investigation and site walkover it is considered that the site has a low to moderate risk for potential contamination to exist primarily through the agricultural usage of the site and the presence of fibrous cement material potentially containing asbestos.

Based on the findings of the site history and site walkover, the potential sources (S) of contamination comprise:

- S1-Potential for filling to be present from an unknown origin in the creeks, stockpiles and dam embankments;
- S2-Stockpiles of anthropogenic items and dumped materials around the structures and in the creek;
- S3-Hazardous building materials (HBM) associated with the structures and in the anthropogenic items and dumped materials; and
- S4-Former agricultural use including possible storage of chemicals maintenance of agricultural Equipment.

Based on the findings of the PSI it is considered that there is a low likelihood of substantial widespread contamination at the site, although where present contamination levels may pose a moderate risk. Accordingly there is potential for localised contamination to exist that requires further investigation to assess whether the site is compatible with its proposed residential development and what remediation works may be required. The further investigation would comprise intrusive investigation of the identified AEC. A hazardous building materials survey should also be undertaken in addition to the intrusive investigation to assess the potential for the presence of hazardous building materials such as asbestos on the site both in remnant structures and in stockpiles on the site surface. It is considered that the site can be made compatible with its proposed residential land use.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE GEOTECHNICAL ASSESSMENT

There are no impediments to rezoning of the site due to contamination issues. Due to the low potential of contaminants there will be the need to do intrusive testing at localized areas prior to the commencement of any construction works. As such the masterplan for the site satisfies the findings of the contamination assessment.

#### 3.3.1.5 BUSHFIRE ASSESSMENT

Ministerial Direction 4.4 Planning for Bushfire Protection under Section 117(2) of the EPA Act applies to the site. The objectives of Ministerial Direction 4.4 are

- (a) to protect life, property and the environment from bushfire hazards, by discouraging the establishment of incompatible land uses in bushfire prone areas, and
- (b) To encourage sound management of bush fire prone areas

To satisfy the Direction a “Bushfire Protection Assessment – Rezoning Application” has been completed over the site by Ecological Australia. The purpose of the study was to ensure the development complies with the specification and requirements detailed in the RFS (2006) document ‘Planning for Bushfire Protection 2006’. A copy of the Bushfire Protection Assessment Report is attached in Appendix 6.

Rezoning applications require consultation with the NSW RFS. As such rezoning aims to satisfy the requirements of ‘Planning for Bush Fire Protection 2006’ (PBP) which includes having regard to the planning principles of PBP as follows:

- Introduction of controls that avoid placing inappropriate developments in hazardous areas;
- Provision, at the urban bushland interface, for the establishment of adequate APZs for future housing;
- Ensuring that bushfire hazard reduction is not prohibited within the APZ;
- Contain provisions for two-way access roads which link perimeter roads and/or to fire trail networks;
- Contain provisions for adequate water supply for firefighting;
- Minimise the perimeter of the area of land interfacing the hazard which may be developed; and
- Introduce controls on the placement of combustible materials in the Inner Protection Area of the APZ.

PBP is currently under review, and a revised version is likely to be implemented in the design stage of this development. The advice herein is based upon the best available information, much of which is identified in existing fast facts and RFS procedural advice that has been utilised for some time.

#### SITE SPECIFIC ASSESSMENT AND INTERPRETATION

While the subject land is not mapped as bush fire prone land (BFPL) by KMC, it is in close proximity to BFPL to the west. Furthermore, remnant riparian corridors and rainforest vegetation along the eastern boundary of the subject land are likely to be allowed to regenerate as part of this proposal. At least some of these revegetated areas will then constitute bush fire prone vegetation and will likely be mapped as BFPL by KMC at a later date.

The objectives of this assessment were to:

1. Assess bushfire hazards and potential risks affecting the site;
2. Ensure statutory requirements for bushfire protection are identified, and can be met without removal of vegetation;

3. Satisfy the legislative requirements for assessment of rezoning bushfire prone land for residential purposes under the *Environmental Planning and Assessment Act 1979*;
4. Investigate the application of Asset Protection Zone (APZ) building setbacks to vegetation/bushland, and report on the location and dimensions of any required APZ;
5. Provide guidance on the access and egress requirements for residential development in bushfire prone land; and
6. Provide guidance on other bushfire protection measures such as the provision of utilities.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE GEOTECHNICAL ASSESSMENT

The masterplan of the site has been developed to satisfy the following site specific requirements of Planning for Bushfire Protection 2006

- Provision of a linked perimeter road for evacuation and fire fighting purposes
- Access and perimeter roads having a carriageway width of 8m to allow fire fighting vehicle to pass during an emergency
- The provision of Asset Protection zones to satisfy the current Bushfire requirements. The APZ are provided within proposed public roads and front setbacks of lots negating concerns regarding maintenance of the APZ, and
- The provision of reticulated watermain along the perimeter road for fire fighting purposes

The report concludes A number of strategies have been provided in the form of planning controls such that the risk from bushfire can be minimised, and future rezoning or development approval processes can be streamlined. These strategies include:

- Ensure adequate setback from bushfire prone vegetation (APZs);
- Integrate non-combustible infrastructure within APZs such as roads, easements and parking areas. The majority of APZs should be contained within perimeter roads and lot setbacks;
- Ensure adequate access and egress from the site through a well-designed road system;
- Consider the adequacy of water supply and the delivery of other services (gas and electricity);
- Provide temporary APZs and alternate access/egress during any staged development;
- Consider SFPP and other development types;
- Provide for effective and ongoing management of APZs; and
- Consider construction standards (AS 3959-2009) implications for future developments

The bushfire protection assessment demonstrates that the subject land is capable of accommodating future residential development and associated land use with the appropriate bushfire protection measures and bushfire planning requirements prescribed by s.117 (2) Direction 4.4 – ‘Planning for Bush Fire Protection’ (EP&A Act), Planning for Bushfire Protection (RFS 2006).

#### 3.3.1.6 AGRICULTURAL LAND SUITABILITY

The site is presently zoned RU2 Rural landscapes and the site was previously used for beef grazing. More recently the site has been used for horse agistment and some hobby farming of beef. The adjacent undeveloped lands to the south and west of the site are also zoned RU2.

#### SITE SPECIFIC ASSESSMENT AND INTERPRETATION

The soil profile of the site is dominated by shallow topsoils and rocky outcrops underlain mainly by solid latite. The site does not abutt any prime agricultural and consequently will not fragment and result in poor usage of prime agricultural land.

The existing agistment on the site under utilizes the potential of the site.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE DEVELOPMENT PROPOSAL

The Master Plan results in the residential utilization of land which has limited agricultural potential but is in close proximity to existing residential development, services and community facilities. In this way the site can absorb housing demand and reduce pressure on the fragmentation of other more viable farmland in the region.

##### 3.3.1.7 STORMWATER MANAGEMENT

Ministerial Directions 2.1 “Environmental Protection Zones” and 4.3 “Flood Prone Land” are applicable to the development of this site. The site contains

- two small environmentally sensitive areas which are outside the proposed area to be rezoned for residential purposes and
- areas of flooding within and adjacent to the 4 creeks within the site.

The objective of Ministerial Direction 2.2 is to “protect and conserve environmentally sensitive areas”. The relevant objective of Ministerial Direction 4.3 is (b) to ensure that the provisions of the LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the site”.

A detailed Flood Study and Stormwater Management Study have been developed for the site to provide a stormwater strategy suitable for the rezoning of the site to residential. The report provides a stormwater strategy that is suitable for managing stormwater quantity and quality for the development of the site. The Flood Study is attached in Appendix 8. The Stormwater Management Study is attached in Appendix 9

##### 1. Detention

The strategy shows that

- no on site detention is required in the southern two catchment of the site due to the flood lag of development higher in the Munna Munnora Creek catchment and the proximity of the catchment to the Princess Highway, and
- on site detention is required for the northern two catchment of the site that drains to the creek system discharging to Kendalls Beach. Preliminary designs have been completed to show on site detention can be provided within the site to ensure post development flows do not exceed pre developed flows

##### 2. Water Quality

Preliminary water quality modelling of the proposed development has been undertaken using the Model of Urban Stormwater Improvements Conceptualisation (MUSIC) software package. The modelling shows that by using a combination of gross pollution traps (GPT) and two 180m<sup>2</sup> biofiltration swales that the targets set by

Kiama Council for removal of 80% of total suspended solids and 45% reduction of total nitrogen and phosphorous. In reality the development will reduce the total pollutants leaving the site.

The provision of biofiltration swales and GPTs within the development is only part of the treatment train of stormwater. Spare capacity in individual site rain water tanks will also be introduced at the detailed design phase of the development..

The reports demonstrates that the stormwater runoff from this site can be treated on site to meet the relevant objectives of both Ministerial Directions 2.1 & 4.3 and the requirements of Kiama DCP 2012.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF ASSESSMENT

The detention storage requirements for the northern catchments can be provided by either or a combination of the following options which do not conflict with the proposed masterplan

- Large rainwater tanks on individual lots in accordance with Kiama Council's Water Sensitive Urban Design Policy.
- A combined biofiltration/detention basin immediately upstream of the catchment outlet, and
- Detention basin on the natural water courses upstream of the two road crossings of the watercourses

#### 3.3.1.8 Visual Intrusion Assessment

The Site is only visually prominent along the Saddleback Mountain Road frontage of the site and from sections of the Weir Street and the Princess Motorway frontages of the site. There are partial and diffused views of the site from various locations within the residential area to the east of the site and for a small section along Saddleback Mountain Road above the site. Due to the adjacent topography the site is not visible from other locations within the area.

Photos have been taken of the site from the general locations listed above and a table commenting on each photo has been included in Appendix 14.

The development is located at lower elevations and separated visually and physically from the most scenic land and visually prominent features being the treed areas and interspersed grasslands above the site, surrounding ridgelines and various intermediate land, ocean and vegetation view lines.

Due to the above we believe the development will not impose an unacceptable visual intrusion on existing or future residents or to motorists using the Princess Motorway.

#### 3.3.2 SOCIAL INFLUENCES

##### 3.3.2.1 EXISTING AND FUTURE SOCIAL INFRASTRUCTURE

There are no detailed social infrastructure constraint assessments outside of Council's Section 94 Contribution Plan. Section 94 Plans are generally reviewed every 5 years. Any future review of the Section 94 plan may highlight some social infrastructure deficiencies that would warrant the application of an appropriate contributions levy on any new development.

#### SITE SPECIFIC RE-ASSESSMENT AND INTERPRETATION

No detailed re-assessment of this constraint has been undertaken as it understood that this issue has not provided a material constraint for development of the site for urban purposes.



#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE [LES]

The Master Plan proposes an extension of the urban development at south Kiama which will result in the creation of between 400 and 500 housing units. The scale of the development described by the Master Plan is not sufficient to trigger substantial additional demand on existing community facilities nor trigger the need for new ones. It is noted however that if a future need was highlighted Council's Section 94 Contributions Plan could be amended and this site be levied for a share of any upgrading or new works noting that Section 94 Contributions are levied on Development Consents and not rezoning applications.

#### 3.3.2.2 ABORIGINAL HERITAGE

Ministerial Direction 2.3 Heritage Conservation under Section 117(2) of the EPA Act applies to the site. The objectives of Ministerial Direction 2.3 "is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance."

To satisfy this Direction an Archaeological Due Diligence Report has been completed over the site by BIOSIS Pty Ltd. The purpose of the report was to identify whether the study area possesses or has the potential to possess Aboriginal cultural heritage values. The report is attached in Appendix 9

#### SITE SPECIFIC ASSESSMENT AND INTERPRETATION

The assessment was undertaken in accordance with the Office of Environment and Heritage (OEH) guidelines Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW, 2010). A copy of the Archaeologist Due Diligence Report is attached in Appendix 9.

The Due Diligence report made the following findings

Flaked Stone Artefact Scatters and Isolated	High: There is a high potential for Artefact sites to be present within the study area, however the vast majority of the Artefacts study area was heavily grassed, lowering the overall effectiveness of the survey for identifying this site type. If stone artefacts are located within the study area, they are more likely to be identified as part of a subsurface archaeological deposit.
Potential Archaeological	High: Three small PADs were identified during the archaeological Deposits (PADs) survey.
Scarred Trees	Low: no scarred trees were identified during the survey, and given the extensive land clearance which has occurred within the study area, it is considered that there is a low potential for them to be present.
Shell Middens	Low: The site inspection included areas which were considered based on the background research to have the potential to contain shell midden sites. No middens were identified, and it is considered that there is a low potential for them to occur within the study area.

Further assessment is warranted based upon the completion of Steps 1 to 4 of the code. The study area has been determined to contain areas of high subsurface archaeological potential which will require further investigation in the form of test excavations before any physical impacts can occur within them.

The remainder of the study area has been assessed as having low archaeological potential, and works may proceed without the need for further assessment in these areas. The project may proceed with caution, subject to the following recommendations:

- As three areas of potential have been identified as part of the assessment it is recommended that an Aboriginal Cultural Heritage Assessment (ACHA) is prepared to support an AHIP application prior to any physical impacts occurring within these areas. The ACHA must be prepared in accordance with *the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011). This includes an Archaeological Report prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) and consultation with Aboriginal community in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010c). For areas of low archaeological potential, works may proceed subject to the following recommendations:
  - (i) All Aboriginal objects and Places are protected under the NSW National Parks and Wildlife Act 1974. It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the Office of Environment and Heritage (OEH). Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the OEH and Aboriginal stakeholders.
  - (ii) Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:
    - Immediately cease all work at that location and not further move or disturb the remains
    - Notify the NSW Police and OEH's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location
    - NOT RECOMMENCE WORK AT THAT LOCATION UNLESS AUTHORIZED IN WRITING BY OEH.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE ABORIGINAL ARCHAEOLOGICAL ASSESSMENT

The proposed rezoning will not result in any physical impacts to the study area, and is able to proceed without the requirement for any further assessment. However prior to any physical works on any stages containing any part of the three small PADs identified on the site an ACHA needs to be completed and a AHIP application made to the Office of Environment and Heritage(OEH). It is noted that the OEH will not issue approval of the AHIP until development consent has been issued for the development.

It is also noted that the PADs are relatively small in area and do not have a significant influence on the overall development of the site.

#### 3.3.2.3 HISTORICAL HERITAGE

Ministerial Direction 2.3 Heritage Conservation under Section 117(2) of the EPA Act applies to the site. The objectives of Ministerial Direction 2.3 "is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance."

To satisfy this Direction an Archaeological Due Diligence Report has been completed over the site by BIOSIS Pty Ltd. The purpose of the report was to identify whether the study area possesses or has the potential to possess items of historical cultural heritage values. The report is attached in Appendix 10

The Heritage Report was prepared in accordance with current heritage guidelines including *Assessing Heritage Significance*, *Assessing Significance for Historical Archaeological Sites and "Relics"* and the *Burra Charter*.<sup>3</sup> The Report provides a heritage assessment to identify any heritage items or relics that exist within or in the vicinity of the study area, assess the significance of any heritage items found on the site and determine the most appropriate management strategy for any items found.

The following is a summary of the major objectives of the assessment:

- Identify and assess the heritage values associated with the study area. The assessment aims to achieve this objective through providing a brief summary of the principle historical influences that have contributed to creating the present – day built environment of the study area using resources already available and some limited new research.
- Assess the impact of the proposed works on the cultural heritage significance of the study area.
- Identifying sites and features within the study area which are already recognised for their heritage value through statutory and non – statutory heritage listings.
- Assess the potential impact from the planning proposal and any subsequent development of the study area.
- Recommend measures to avoid or mitigate any negative impacts on the heritage significance of the study area.

#### SITE SPECIFIC ASSESSMENT AND INTERPRETATION

The site specific historical assessment identified the Kendalls Cemetery and 16 dry stacked stone walls on the site. The assessment has identified two items of high significance, two of moderate to high significance, five of moderate significance, six of little to moderate significance and one of little significance.

Kendalls Cemetery has been assessed as being an item of high heritage significance, meeting criterion A-D under the Heritage Act at a local level. The cemetery also meets several heritage values of a cemetery as set out by the National Trust of Australia (NSW), including: historical values; social values; religious values; genealogical information; artistic, creative and technical elements; setting; and human remains. Of the drystone walls contained within the study area, one wall, 198, which surrounds Kendalls Cemetery, has been assessed as highly significant at a local level; this is due to its relationship with the cemetery itself and its condition. Two walls, 196 and 239, have been assessed as moderate to highly significant at a local level; this is due to their condition and historical functions as a property boundary and original holding pen (respectively). Five walls, 232, 234, 236, 240 and 241, were assessed as holding moderate significance, due to the condition, date and/or historical function as a part of a holding pen or paddock boundary. Six walls, 231, 233, 235, 237, 238 and 242, were assessed as holding little to moderate significance, due to their deteriorating condition. The newly identified wall was assessed as holding little significance, due to its poor condition and intactness.

Recommendations have been formulated to respond to client requirements and the significance of the site. They are guided by the ICOMOS *Burra Charter* with the aim of doing as much as necessary to care for the place and make it useable and as little as possible to retain its cultural significance. For rezoning and planning purposes, the following recommendations are proposed:

#### **Recommendation 1 Setbacks**

##### **Minimum 20 metre setback from Kendalls Cemetery**

Any rezoning and planning proposals for the study area should allow for a setback of at least 20 metres from Kendalls Cemetery to ensure the conservation and protection of the cemetery. A road would be acceptable as part of this setback

##### **Minimum 6 metre setback from dry stone walls**

Any rezoning and planning proposals for the study area should allow for a building setback of at least 6 metres from dry stone walls to avoid impacting their condition. A dry stone wall could be within a road reserve subject to clearances from services etc.

#### **Recommendation 2 Treatment of dry stone walls**

##### **Retain portions of dry stone walls assessed as being in average to good condition**

Any rezoning and planning proposals for the study area should accommodate those portions of dry stone walls which have been assessed as being in average to good condition. Where possible, efforts should be made to conserve or improve the condition of those walls (may require seeking consent from Council depending on scale of improvement works), in accordance with the guidelines contained within *The Burra Charter*.<sup>52</sup>

##### **Establish acceptable impacts to portions of walls assessed as being in poor condition**

Any rezoning and planning proposals for the study area should establish what impacts are acceptable to portions of walls which have been assessed as being in poor condition, based on their assessed heritage significance. Impacts to walls of high significance should be mitigated where possible, and efforts made to conserve or improve the condition of those areas in poor condition in line with

**Recommendation 3.** Where impacts to walls of moderate or little significance cannot be mitigated (for example, breaks in walls for roads or driveways), efforts should be made to relocate the portion of wall or repurpose the impacted materials. Walls assessed as being in very poor condition are the most viable option for removal to facilitate roads, driveways and other infrastructure or services, but restoration of these walls should be considered where possible.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE ASSESSMENT

The masterplan has been developed so that

- (i) a minimum width 20m buffer has been provided around Kendalls Cemetery. The buffer is proposed as a road along the western and southern boundary of the cemetery with widened footpaths adjacent the cemetery and a public reserve adjacent the eastern and southern boundary of the cemetery. A public road is also proposed to abut the public reserve which will result in a much wider buffer adjacent the eastern and northern boundaries of the site which will provide
  - good passive public surveillance to the cemetery, and
  - visual connection to the cemetery from adjacent areas as the site at this location slopes in a north east direction.
- (ii) Dry stone wall of high to medium significance have been retained. Figure 6 below shows the location of the dry stone walls on the masterplan for the site. It is noted that this application is for rezoning of the site. The masterplan has been developed to show how the site is likely to impact on the dry stone walls on the site. It is noted that a road opening is proposed through walls 232 and 231 as part of the overall masterplan of the site however the majority of these walls will be maintained and enhanced. Figure 6 shows the location of the dry stacked stonewalls on the masterplan for the site. Most walls are either located in undeveloped sections of the site or within residential properties where they will be maintained in accordance with the requirements of Kiama DCP2012.



**Figure 6: Dry Stone Wall shown on Masterplan of the Site**

### 3.3.3 INFRASTRUCTURE INFLUENCES

#### 3.3.3.1 TRANSPORT INFRASTRUCTURE

A Traffic Impact Assessment has been undertaken by BITZIOS on the site to assess the impact of traffic on the existing road network. A copy of the Traffic and Transport Planning Assessment is attached in Appendix 10.

The scope to undertake this traffic impact assessment is limited to assessing the impacts on the external road network, which includes the following:

- assessment of the developments traffic generation for the AM peak hour;
- assessment of the vehicle distribution onto the external road network; and
- assess the impact the development has on the existing external road network.

Only the AM peak period has been assessed due to the proximity of local schools. The traffic volumes in the surrounding area are generally very low and are only increased during school peak pick-up or set down periods.

No assessment has been made of internal road networks. This information would be required for any future development Application for the residential subdivision of the land. However preliminary road long sections were developed for an early layout plan for the site to ensure that a subdivision could be developed over the site that satisfies Council engineering standards. The very preliminary road design plans are attached in Appendix 12.

#### Site Specific Assessment and Interpretation

The traffic assessment consisted of the following steps

- set background traffic flows by undertaking a traffic count at the intersection of Old Saddleback Mountain Road and South Kiama Drive

- Increasing the background traffic volume at a compounding rate of 1.5% based on rates used on the TRACKS modelling in Kiama
- Calculating traffic generation from site based on *The RMS Guide to Traffic Generating Developments: Technical Direction (August 2013)*
- Distributing the future traffic generation based on the proposed road network shown on the masterplan
- Calculating Design Traffic Volumes on the adjacent roads for the year 2019 and 2029.
- Using the Design Traffic Volumes to analysing the Old Saddleback Road/ South Kiama Drive intersection using the SIDRA 7 intersection modelling software.

The intersection of Saddleback Mountain Road / S Kiama Drive performs satisfactorily in terms of Degree of Saturation (DOS), Level of Service (LOS), average delay and 95th percentile queue. The 2029 AM Design scenario experiences a maximum DOS of 0.366 which is well within the performance limits of a priority controlled T-intersection (i.e. DOS = 0.800). The LOS does not exceed LOS A in any of the background or design scenarios. Therefore, the proposed sub-division development does not require any external road works to be implemented at the intersection as a result of the additional development traffic

The above findings indicate no significant matters of a traffic and transport nature that would preclude its approval.

#### HOW THE MASTER PLAN SATISFIES THE INTENT OF THE TRAFFIC ASSESSMENT

Traffic modelling of the proposed development with access to and from Saddleback Mountain and Weir Street and egress only from the culvert under the Princess Motorway shows that the impact of traffic from the development is within acceptable limits.

An alternative layout for the site has been developed to demonstrate how the main spine road could be amended to minimize the length of straight sections of road where speed could become an issue. The amended layout is shown in Appendix 11.

A preliminary Y intersection layout for the intersection of the subdivision access road and Saddleback Mountain Road has also been designed. The layout has been included on the preliminary subdivision design plans attached in Appendix 11.

### 3.3.3.2 UTILITY SERVICES

#### 3.3.3.2.1 ELECTRICAL RETICULATION

Transelect submitted an enquiry to Endeavour Energy regarding power supply to the development in 2015. Endeavour Energy replied to the enquiry in November 2015. A copy of Endeavour Energy's response is attached in Appendix 13

Endeavour Energy calculated that the site has the potential to provide upto 875 lots. This is approx. twice the yield we believe is possible. However Endeavour Energy advised

- (i) The Kiama Zone substation which would supply the development has sufficient capacity to supply the required load to support the proposed mature load for upto 875 lots
- (ii) the existing 11kva network to the site has the capacity to service approx. 400 lots, and
- (iii) ultimately a new 11Kva feeder would be needed from the Kiama Zone Substation to the site if the lot yield was 875 lots

It is unlikely a new 11kva feeder main would be required to service this development noting that the yield will be between 400 to 500 lots and not 875 as calculated by EE. Further EE design loads have reduced since the initial enquiry was made in 2015 due to more efficient heating and lighting within houses.

#### 3.3.3.2.2 SEWER AND WATER RETICULATION

A service enquiry was made to Sydney water in 2015. Sydney Water issued a feasibility letter for the site on 14 March 2016. A revised feasibility letter was issued on 7 November 2108 that clarifies water servicing of the site. A copy of Sydney Water's feasibility letter is attached in Appendix 13.

Sydney Water advised as follows

##### **Water**

- There is capacity in the trunk system at the intersection of Shoalhaven and Bland Street
- Extensions will be required to service the proposed subdivision from this point, and
- Preliminary investigation shows that Sydney water can only service lots up to ground level 60m AHD. To service the proposed lots above the 60m contour additional investigation or required works and agreement of servicing options will be required.

A plan has been included in Appendix 13 showing the location of 60m contour on the masterplan.

##### **Sewer**

Sydney Wide Co-ordinators were engaged to provide a preliminary concept design for the development. This concept was for the sewer from the site being provided by a new main under the Princes Motorway and South Kiama Drive to join with the existing sewer main adjacent to Munna Munnora Creek.

Sydney Water advised as follows

- In principal Sydney Water has no objection to the proposed wastewater servicing method
- An options report would need to be submitted by a Water Services Co-ordinator demonstrating that this option represents the lowest life cycle cost. This options report will need to be submitted for endorsement prior to a Section 73 application being lodged and the design approved.

#### 3.3.3.2.3 TELECOMMUNICATION RETICULATION

Telecommunication services can be extended into the development from the existing underground services within Old Saddleback Mountain Road and Weir Street. All pit and pipe works in the new development would be compliant with the requirements of NBN.



## 4. COMMUNITY CONSULTATION

### 4.1 CONTEXT

The site has been identified in the Kiama Urban Strategy as a stage 1 site for rezoning to residential subject to the provision of independent technical reports supporting the rezoning.

The KUS was developed by Kiama Council in conjunction with a panel of experts and rate payers from the community. The KUS was developed to satisfy the requirement and projections of the Illawarra Regional Strategy. The strategy has been advertised for public comment and approved by the Department of Planning.

The Planning proposal for the site is the next step in the rezoning of the site from rural to residential.

### 4.2 STAKEHOLDERS

Key stakeholders to be targeted are

- Local community
- Government Agencies, and
- Service Authorities

### 4.3 COMMUNICATIONS APPROACH

The public exhibition of the proposal is a standard part of the assessment process to inform the community about the proposal so they can better understand its potential impacts and benefits and how they can make comment.

Kiama Council should be the authority to determine the detailed advertising requirements for this proposal

#### 4.4 EXHIBITION LOCATIONS

Kiama Council should determine the most appropriate form of advertising this proposal following a gateway determination by the Department of Planning.

#### 4.5 TIMING AND NEXT STEP

The following process is proposed noting that Council have already agreed to a planning for the site

- Council staff review and report the planning proposal to Council
- Council either support the planning proposal or ask for additional information/amendments to the proposal
- Either the Planning proposal or amended Planning Proposal be sent to the Department of Planning for Gateway Determination