

NSW Coastal Policy 1997 – Compliance Checklist

For Concept Master Plan

Lots 1 & 6 DP 1082382 Anson Street, St Georges Basin for D. De Battista

Strategic Action	Strategic Action	Compliance (yes/no/na)	Indicate how the Development Proposal is consistent/inconsistent with the Policy
GOAL 1: PROTECT, REHABILITATE AND IMPROVE THE NATURAL ENVIRONMENT			
1.1.2	<p>Land (including submerged land) identified as having high land and/or marine and estuarine conservation values will be:</p> <ul style="list-style-type: none"> • where publicly owned, assess for dedication or reservation as appropriate under the National Parks and Wildlife Act, 1974, the Fisheries Management Act, 1994, the Crown Lands Act, 1989, or declared under the Marine Parks Act, 1997; • where privately owned, assessed for acquisition to the National Parks or Crown Reserves system or for declaration as a Marine Park or Aquatic Reserve with the consent of the owner. 	NA NA NA	
1.1.3	<p>Crown lands, including submerged lands, in the coastal zone will be subject to an ongoing process to determine conservation significance and to devise appropriate controls. This will include:</p> <ul style="list-style-type: none"> • dedicating or reserving Crown land under the NP&W Act, 1974, the Crown Lands Act, 1989 or Fisheries Management Act, 1994, or making declarations under the Marine Parks Act, 1997, where appropriate; • identifying Crown lands in the inter-tidal zone* adjacent to lands reserved or dedicated, or proposed to be reserved or dedicated, under the NP&W Act, 1974 and, where appropriate, reserving or dedicating such land under the NP&W Act, 1974 (*includes land extending seaward to the level of Lowest Astronomical Tide); • assessing Crown owned submerged land of high conservation value through the land assessment process for an appropriate dedication/reservation/declaration; • maintaining reservations of Crown land from sale or lease where a major or significant foreshore area or an area which is critical for public access is potentially affected. 	NA NA NA NA NA	

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1.1.5	Councils will be encouraged to classify open space and lands with conservation value as community land under the Local Government Act.	NA	
1.1.9	Local environmental plans will be prepared with appropriate zonings and other provisions for areas of recognised conservation value.	NA	
1.1.10	Local environmental plans for areas adjacent to marine parks will be required to include appropriate provisions which give effect to the objectives and management provisions contained in marine park zoning plans and operational plans.	NA	
1.1.11	Regional open space networks/corridors (including water areas) should, where possible, be used to protect natural habitats and environments.	NA	
1.3.7	<p>The highest possible quality of coastal waters will be ensured by:</p> <ul style="list-style-type: none"> • establishing water quality and environmental flow objectives for coastal rivers and implementing through catchment plans; • basing waste water discharge limits on the relevant national water quality guidelines and the local ambient water quality objectives in accordance with the Australian Water Quality Guidelines for Fresh and Marine Waters (ANZECC, 1992); • assessing the quality of ocean and estuarine waters against local water quality objectives, where established, and otherwise by using the ANZECC (1992) Marine Waters standards as benchmarks; • monitoring dispersion of pollutants in coastal waters. 	<p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p>	<p>The CMP is supported by a Utilities Investigation Report prepared by Allen Price & Associates (APA) that addresses sewerage infrastructure, water supply and storm water drainage, A copy of this report forms Annexure 7 to this CMP.</p> <p>Stormwater measures and Sediment and Erosion Management Plans will be provided with the development applications for the individual buildings</p>
1.3.14	The State Groundwater Policy will be developed and used in the management of the groundwater resources covered by the coastal policy to ensure the maintenance of essential linkages between groundwater, surface water and the coastal environment.	NA	

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GOAL 2: TO RECOGNISE AND ACCOMMODATE NATURAL PROCESSES AND CLIMATE CHANGE			
2.1.1	Coastline, estuary and floodplain management plans will continue to be prepared by local councils and integrated into local environmental plans to address planning and development issues in accordance with the Coastline, Floodplain and Estuary Management Manuals.	NA	
2.2.2	Appropriate planning mechanisms will be considered for incorporating sea level change scenarios set by the Inter-government Panel on Climate Change.	NA	
GOAL 3: TO PROTECT AND ENHANCE THE AESTHETIC QUALITIES OF THE COASTAL ZONE			
3.1.2	Provisions to protect areas or items of high aesthetic value will continue to be considered when preparing planning instruments and plans of management.	NA	
3.2.4	In preparing and amending regional and local environmental plans and development control plans and when assessing development applications, consideration of the design and locational principles contained in the Coastal Policy (Appendix C Table 3) will be required.	Yes See below	A review of the master plan against the principles set out by the Coastal Design Guidelines 2003 is provided in Section 5.3.2 of the SEE.
3.3.1	Local and regional housing strategies for coastal towns will continue to be developed to encourage compact towns in a range of sizes and with a variety of forms.	Yes	Proposal involves a higher density form of residential development consistent with Shoalhaven Housing Strategy.
GOAL 4: TO PROTECT AND CONSERVE CULTURAL HERITAGE			
4.1.2	Local and regional coastal heritage resources will be identified and assessed by heritage studies and, where appropriate, identified for conservation or protection by relevant provisions in regional environmental plans and local environmental plans and relevant provisions of the Local Government Act, 1993.	NA	
4.1.4	Planning instruments, development control plans and design guidelines will identify and consider significant views and vistas within and from towns, including street patterns and layout and items of heritage significance, in planning for towns.	Yes	Refer Section 6.3.1 of the SEE.

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GOAL 5: TO PROMOTE ECOLOGICALLY SUSTAINABLE DEVELOPMENT AND USE OF RESOURCES			
5.1.2	The land use requirements identified in regional industry and regional economic development strategies, including tourism strategies, will, as appropriate, be considered in the preparation of local and regional environmental plans.	Yes	Refer Section 5.4 of the SEE.
5.1.3	The systematic program of assessing and mapping rural land capability and agricultural land classification will continue in order to identify land which should be protected for agricultural purposes.	NA	
5.1.7	The identification and facilitation of key areas of opportunity for, and development of, aquaculture will be undertaken.	NA	
5.1.8	Mineral exploration ventures which create potential opportunities for ecologically sustainable development and which do not adversely impact on environmentally significant sites will be identified and facilitated.	NA	
5.2.3	Management plans prepared for coastal areas will be considered in the preparation of REPs, LEPs and DCPs, so as to achieve integrated, responsible and ecologically sustainable development and use of resources.	NA	
5.2.11	Local Councils will be encouraged to undertake forward planning for tourism, such as via the preparation of local and/or regional tourism development plans.	NA	
GOAL 6: TO PROVIDE FOR ECOLOGICALLY SUSTAINABLE HUMAN SETTLEMENT			
6.1.1	Coastal urban planning/settlement strategies prepared by DUAP will ensure recognition of environmentally sensitive areas or natural and cultural heritage resources when identifying suitable areas for urban growth.	NA	
6.1.2	Local councils will prepare urban land release / settlement strategies prior to major rezonings of rural land for urban expansion or will ensure that any such rezonings are consistent with endorsed regional settlement strategies.	Yes	Jervis Bay Settlement Strategy applies to this area. Proposal is consistent with this strategy. Refer Section 5.4.3 of the SEE.
6.1.4	Canal estate developments will not be permitted and a State Environmental Planning Policy made to implement the policy.	NA	

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6.2.1	Planning instruments and development control plans will define the boundaries of urban areas and indicate the amount and form of development which is appropriate for each location taking into account the environmental and servicing implications.	Yes	The Master Plan proposal is consistent with the planning provisions for the subject land. Further consideration will be given to the planning instruments and development control plans when future development applications are submitted for each of the buildings identified in the Concept Master Plan.
6.3.1	Local councils will prepare rural residential release strategies prior to any major rural residential rezonings in order to preserve land with scenic and conservation values, prime agricultural land and land identified as having significant mineral or extractive resources. Regard should be given to the Department of Urban Affairs and Planning's Rural Settlement Guidelines and Rural Land Evaluation Manual in preparing these strategies.	NA	
6.4.1	A greater choice in housing will be encouraged in coastal urban areas through local and regional housing strategies.	Yes	Proposal provides for a higher density housing form.
6.4.2	Higher density residential development, in close proximity to coastal town centres, should be encouraged through the use of planning instruments and development control plans, to provide easy access to services and employment and create a sustained and stimulating town centre environment without strain on existing infrastructure.	Yes	Proposal provides for a higher density housing form in close proximity to the commercial centre of St Georges Basin.
GOLA 7: TO PROVIDE FOR APPROPRIATE PUBLIC ACCESS AND USE			
7.2.4	In preparing Section 94 contributions plans (s94 EP&A Act, 1979) and levying developer contributions, consideration should be given to costs of providing surf life saving services for the community.	NA	

Table 3

Design and Locational Principles for Consideration in Development Control (Strategic Action 3.2.4)

<i>Principle</i>	<i>Compliance</i>	<i>Comment</i>
Only developments which do not compromise the natural and cultural values of the area shall be permitted on beaches and frontal dunes	NA	
Works to protect, restore and rehabilitate beaches and frontal dunes may be permitted where appropriate.	NA	
Undeveloped headlands will be preserved.	NA	
Any developments on headlands already developed should be strictly limited to height and scale no greater than existing buildings and will require an environmental assessment, including an assessment of visual impact from adjoining beaches.	NA	
Beaches and waterfront open space will be protected from overshadowing. The standard to be applied will vary according to local circumstances, however generally the standard to be applied is: <ul style="list-style-type: none"> • in cities or large towns, no overshadowing before 3pm midwinter and 6:30pm Summer Daylight Saving Time; • elsewhere, no overshadowing before 4pm midwinter and 7pm Summer Daylight Saving Time. 	NA	
Tall buildings (greater than 14 metres) will not be permitted outside cities, towns and growth centres except where they can be justified due to environmental planning considerations (eg hinterland topography), the prevailing scale of development or a relevant LEP,DCP or REP. Any such proposals should be subject to environmental assessment, public consultation and the concurrence of the Director- General of the Department of Urban Affairs and Planning.	NA	Proposal does not exceed 14 metres in height.

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<i>Principle</i>	<i>Compliance</i>	<i>Comment</i>
Applications for buildings taller than 14 metres within cities, towns and growth centres will be assessed on their merits having regard to the prevailing scale of development and in accordance with any relevant LEP, DCP or REP. As a general principle, buildings taller than 14m should generally not be permitted in urban areas unless subject to environmental assessment, public consultation and the concurrence of the Director-General of the Department of Urban Affairs and Planning.	NA	Proposal does not exceed 14 metres in height.
Public setback lines will be set for every new development that immediately adjoins coastal lakes, estuaries, beaches, foreshores and cliffs. The amount of setback will be determined by consent authorities taking into consideration specific details of public access requirements, local topography, scenic factors (including the impact of the development as viewed from the waterway and foreshore area), coastal hazards (including sea level rise considerations), building design criteria and pollution and siltation management measures. No new development will be permitted to impede public access to foreshore areas. Apart from facilities essential to surf life saving, community facilities, works to protect property and environmental restoration measures, no development will be permitted seaward of this setback line and developers will be required to dedicate this land for public use or enter into a satisfactory agreement for ensuring public access, use and maintenance of the area to a suitable standard, as a condition of the development.	NA	
As a continuation of existing practice, any tourist or recreational development which is adjacent to, or proposes to utilise the natural assets of, a National Park, Nature Reserve or State Recreation Area must not compromise the natural values of the area. Any tourist developments adjacent to areas reserved or dedicated for conservation purposes must be consistent with the “Guidelines for Tourist Developments in Proximity to Major Natural Areas in the North Coast Region” prepared by the Department of Urban Affairs and Planning or other conservation oriented design controls adopted in an LEP or DCP.	NA	