



P L A N N E D

REVISED Statement of Environmental Effects Report

Prepared For: Junor Investments Pty Ltd

Property: Lot 2 DP1287077, No. 22 Mine Lane, Wolumla NSW

Document Information

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Attachment 1 – SDMP

1 Introduction

1.1 Commission

PLANNED has been commissioned by Junor Investments Pty Ltd (also described in this Report as the **Proponent**) to prepare a revised Statement of Environmental Effects (**SEE**) Report to accompany documentation proposing amendments to undetermined Development Application (**DA**) No. 2023.351 (PAN-400459) proposing a Concept Master Plan for the Wolumla Valley Estate Project Area and the first stage of development comprising the subdivision of land and associated civil construction works.

In summary, the amendments to DA No. 2023.351 are proposed so as to satisfactorily address all of the matters raised in the Requests for Further Information (**RFI**) received from Bega Valley Shire Council, Transport for NSW, NSW Department of Planning and Environment – Water, NSW Rural Fire Service and Essential Energy.

The intent of this revised SEE Report is to provide a detailed description of the revised development proposal and to provide an updated assessment of the revised proposal against the relevant planning controls (where required). In doing so, it is expected that Bega Valley Shire Council will be able to finalise the assessment of DA2023.251 to facilitate determination by the Southern Regional Planning Panel (**SRPP**).

The following documentation has informed this revised SEE Report and is submitted (if required) to Bega Valley Shire Council on the basis that it supersedes or supplements the documentation as originally submitted in relation to DA2023.351.

- Aboriginal Cultural Heritage Assessment Report [dated October 2023] prepared by On-Site Cultural Heritage Solutions.
- Bushfire Assessment Report [dated December 2023] prepared by Australian Bushfire Assessment Consultants.
- Geotechnical Investigation [dated 22 September 2019] prepared by ACT Geotechnical Engineers Pty Ltd.
- Preliminary Site Investigation [dated December 2023] prepared by Lanterra Consulting Pty Ltd.
- Tree Management Plan [dated September 2023] prepared by Arboriculture Consultancy Group.
- Revised Biodiversity Development Assessment Report [dated April 2025] prepared by Local Environmental Solutions.
- Revised Clause 4.6 Variation Report [dated April 2025] prepared by PLANNED Town Planning Solutions.
- Revised Cost Summary Report [dated April 2025] prepared by Osgood Civil Resource Engineering (**OCRE**).
- Revised Engineering Concept Design for Concept Master Plan prepared by OCRE.
- Revised Engineering Concept Design for Development Application prepared by OCRE.
- Revised Letter of Offer [dated April 2025] prepared by PLANNED on behalf of Junor Investments Pty Ltd.
- Revised Traffic Impact Assessment Report [dated April 2025] prepared by TTM Consulting (Vic) Pty Ltd.

- Revised Wolumla Valley Estate Concept Master Plan [dated April 2025] prepared by Human Habitats and PLANNED.

1.2 Purpose of Report

This revised SEE has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**) for the purposes of:

- Demonstrating that the environmental impacts of the development have been considered; and
- Outlining the steps to be undertaken to protect the environment or to mitigate against any potential harm, if necessary.

This revised SEE describes the proposal and its environment, including a detailed description of the site and its surrounds and an assessment of the proposal against the relevant planning controls.

The revised SEE demonstrates that the revised development proposal is acceptable under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and concludes that the proposed development should be granted approval subject to conditions.

1.3 Type of Development Application

The revised development proposal is being lodged as a Concept Development Application in accordance with the provisions of Section 4.22 – Concept Development Applications of the EP&A Act. Under these provisions, all development under the concept proposal must be the subject of future development application(s). The exception being in the case of a staged development whereby the Development Application may set out the detailed proposal for the first stage of development. Accordingly, this Application provides a Concept Master Plan that sets out the concept proposal for the development of the Wolumla Valley Estate Project Area (which will guide detailed proposals for the separate future stages) as well as the detailed proposal for the first stage of development, being Stage 1 (and its sub-stages).

The scope of the proposal is considered to be ‘development’ in accordance with Section 1.5 of the EP&A Act. As the development proposal is declared by an environmental planning instrument as being regionally significant development, pursuant to Section 4.5 of the EP&A Act, development consent is sought from the Southern Regional Planning Panel.

The revised development proposal is ‘integrated development’ under Section 4.45 of the EP&A Act given that:

- The subject land is mapped as bushfire prone (Vegetation Category 1 – Forest and Vegetation Category 3 – Grassland). As the development proposal is for the subdivision of bushfire prone land that could lawfully be used for residential purposes, a bushfire safety authority is required to be obtained from the NSW Rural Fire Service pursuant to Section 100B of the *Rural Fires Act 1997*.
- The subject land has been found to comprise Aboriginal objects of cultural heritage significance. As the development proposal will disturb Aboriginal objects, an Aboriginal Heritage Impact Permit is required to be obtained pursuant to Section 90 of the *National Parks and Wildlife Act 1974* prior to the commencement of works.

The development proposal is not defined as either ‘designated’ or ‘State significant’ development under the EP&A Act or EP&A Regulation.

2 Site Description and Context Analysis

2.1 Site Location Context

The subject land is situated adjacent to the existing village of Wolumla, which is within the Bega Valley Shire Council (**BVSC**) local government area (**LGA**).

Wolumla village is situated to the west of the Princes Highway, approximately eighteen (18) kilometres south of Bega and ten (10) kilometres northwest of Merimbula. The village has a population of approximately 700 people and consists of predominantly low-density residential housing with a small commercial core located at the junction of Scott Street and Bega Street. The commercial area comprises a hotel/pub and a general store, which also doubles as a post office and newsagent. The main street, being Scott Street, also comprises a volunteer-run Rural Fire Service (**RFS**) station, historic community hall as well as a number of historic cottages. The historic character of Scott Street has local heritage significance and forms the basis of the Wolumla Heritage Conservation Area (C672) as per the Bega Valley Local Environmental Plan 2013.

Recently, BVSC has re-zoned approximately 75 hectares of land adjacent to the existing village, which is expected to accommodate approximately 850 new homes or 1,800 people. The urban release area consists of three (3) land holdings – of which one (1) forms the basis of this current Application. To guide the delivery of the urban release areas, BVSC in partnership with the NSW Department of Planning and Environment, has prepared a Draft Wolumla Structure Plan, which has not yet been endorsed or adopted.

2.2 Site Description

The land the subject of this Development Application (**DA**) is described as Lot 2 DP1287077, No. 22 Mine Lane, Wolumla NSW.

The subject land was created as part of the staged subdivision of Lot 663 DP1259105 to create two (2) development superlots, being Lots 1 and 2 DP1287077 and the subdivision of Lot 1 DP1287077 to create forty-five (45) residential allotments – refer to DA2007.759 (as modified). With reference to **Figures 1** and **2** below, the subdivision works associated with the delivery of the residential allotments are close to being completed.

The subject site is an irregular shaped parcel of land comprising an area of approximately 69.2 hectares. The site has frontages to Scott Street/Candelo-Wolumla Road (north), Ferndale Lane (west), Bega Street (east) and Mine Lane (east/southeast) measuring approximately 590m, 1,030m, 20m and 760m respectively. The subject land is predominantly undeveloped comprising a cluster of old, detached farm buildings near to the Bega Street frontage. These farm buildings were once associated with the historic 'cottage on rise' (1683), which is now located on adjoining Lot 1 DP1287077 (or proposed Lot 1 in the approved subdivision of Lot 1 DP1287077). Collectively, these buildings were once utilised as part of the subject land's long history of agricultural use – dating back to the mid 1800s.

The past agricultural use of the subject land has altered the original woodland/forest vegetation through successive years of livestock grazing and routine land management activities. This has included removal of the native tree and shrub layer and simplification of the ground layer over time. Notwithstanding, there is a pocket of intact, remnant native forest vegetation restricted to the southeastern corner of the site as well as mature paddock trees scattered over the subject land.

The topography of the subject land is noted to be undulating comprising spur crests, simple slopes, drainage depressions (unnamed) and a number of dams. The slope profiles are varied ranging from level spur crests to steeply sloping (i.e., $\geq 20\%$). Given the undulating and elevated landforms, extensive views over Wolumla village and the adjacent rural/rural residential surrounds are afforded to a large proportion of the subject land.

As prescribed by the provisions of the Bega Valley Local Environmental Plan 2013, the subject land is located within an R2 Low Density Residential Zone (circa 45.2 hectares), RU5 Village Zone (circa 1.2 hectares), C3 Environmental Conservation Zone (circa 15.8 hectares) and C4 Environmental Living Zone (circa 7.2 hectares) and has a minimum corresponding minimum lot size for the purpose of erecting a dwelling and/or conventional (Torrens title) subdivision of 650m², 1,000m², and 7 hectares respectively.

2.3 Surrounding Development Context

Key features of the locality surrounding the subject land include:

- Land adjoining to the south forms part of the Yurammie State Conservation Area and Policemans Cap Hill.
- On the opposite side of Mine Lane (adjoining the subject land to the east/southeast) are three (3) rural residential allotments (being, Lots 660, 661 & 662 DP1259105) zoned RU2 Rural Landscape ranging in size from approximately 2 hectares up to 2.2 hectares. The allotments were created as part of DA2004.1006 (dated 22 May 2019) and are generally developed comprising dwelling houses and detached ancillary outbuildings/sheds.
- Lot 3 DP1287077 is also on the opposite side of Mine Lane and is zoned RU2 Rural Landscape. This allotment has an approximate area of 16 hectares and was created as the residual parcel as part of the subdivision approved under DA2004.1006 (dated 22 May 2019). Lot 3 DP1287077 is noted to be heavily vegetated and largely undeveloped – comprising areas used for the storage of machinery and other equipment. Part of the site adjacent to Mine Lane contains a BVSC pressure reducing valve associated with the BVSC water supply tank located on adjoining Lot 11 DP1176792 (zoned SP2 Water Supply System).
- The allotments adjoining to the east/northeast fronting Philip Street (being Lots 1 – 7 and 10 – 12 Section 5 DP3808, Lots 1 & 2 DP376833, and Lots 1 – 6 Section 4 DP3808) are within Zone RU5 Village and are largely developed for low density residential purposes. Adjoining Lot 7 Section 4 DP3808 is zoned SP2 Water Supply System and comprises a BVSC water supply tank accessed via Mine Lane.
- Adjoining the northern portion of the subject site is Lot 1 DP1287077 (circa 5.49 hectares). Lot 1 is entirely with Zone R2 Low Density Residential and has development approval for the create forty-five (45) residential allotments – refer to DA2007.759 (as modified). As noted at **Section 2.2** of this SEE Report above, the subdivision works associated with the delivery of the residential allotments are close to being completed. Lot 1 DP1287077 (or proposed Lot 1 in the approved subdivision of Lot 1 DP1287077) comprises the historic ‘cottage on rise’ (I683), which is listed as a heritage item under Schedule 5 of the Bega Valley Local Environmental Plan 2013.
- Adjoining the northeastern corner of the subject site are three (3) allotments (being Lots 1 – 3 Section 1 DP3808) zoned RU5 Village ranging in size from 1,010m² up to 1,380m². These allotments are developed for low density residential purposes.
- On the opposite side of Scott Street / Candelo-Wolumla Road (adjoining the subject land to the north) are a number of allotments zoned RU5 Village (being Lots 1 – 4 DP826834, Lots 1 & 3 – 7 DP3833, Lot 8 DP667461, and Lots 1 – 4 Section 1 DP997). The majority of these allotments have been developed for low density residential purposes. The ‘weatherboard cottage’ (I682) on Lot 6 DP3833 has local heritage significance and is listed as a heritage item under Schedule 5 of the Bega Valley Local Environmental Plan 2013. In addition to this, Lots 5 – 7 DP3833, Lot 8 DP667461 and Lots 1 – 4 Section 1 DP997 are identified as forming part of the Wolumla Heritage Conservation Area (C672).
- The NSW RFS station (zoned SP2 Emergency Services Facility) is also on the opposite side of Scott Street / Candelo-Wolumla Road (being Lot 1 DP168899).
- On the opposite side of Scott Street / Candelo-Wolumla Road (adjoining the subject land to the north) and the opposite side of Ferndale Lane (adjoining the subject land to the west) is Lot 6 DP1132826, which has an area of approximately 127 hectares. Lot 6 DP1132826 is predominantly zoned C3 Environmental Management and C4 Environmental Living. However, that part of the allotment fronting Scott Street / Candelo Wolumla Road up to the Ferndale Lane intersection is zoned R2 Low Density Residential (circa 8 hectares). Lot 6 DP1132826 is noted to be developed with a rural residential dwelling and detached ancillary outbuildings/sheds.

- Other land on the opposite side of Ferndale Lane (adjoining the subject land to the west) are a number of variably sized rural residential allotments (being Lot 1 DP709399, Lots 701 & 702 DP1247621 and Lot 137 DP750238). The majority of these allotments are developed and/or used for rural residential purposes.

Figures 1 and 2 below show the site in its local and site-specific context. Refer to Attachment 1 of the Wolumla Estate Concept Master Plan Report for photographs of the subject land and adjacent developments.



Figure 1: Local Site Context ([MapBrowser](#) | [Nearmap](#), accessed 9 November 2023)



Figure 2: Site-specific Context ([MapBrowser](#) | [Nearmap](#), accessed 9 November 2023)

3 Proposed Development

As detailed below, the Application seeks approval for a Concept Master Plan for the Wolumla Valley Estate Project Area and the first stage of development (being Stage 1) comprising:

- Torrens title subdivision to create 136 residential allotments, one (1) allotment for future commercial development, four (4) allotments for water sensitive urban design and/or public open space purposes and one (1) residual allotment for the future stages of development.
- Civil construction works, including:
 - Construction of roads and footpaths.
 - Installation of new sub-surface services/utilities.
 - Bulk earthworks, land contouring and retaining structures.
 - Installation of erosion and sediment controls.
 - Formalisation of water quality and stormwater drainage infrastructure.
- Tree removal and landscaping works.

3.1 Wolumla Estate Concept Master Plan

The revised Wolumla Valley Estate Concept Master Plan [dated April 2025] prepared by Human Habitats and PLANNED is included as part of the DA re-submission material.

The revised Concept Master Plan will provide a framework document that will guide the future lodgement of staged DAs over the entire Wolumla Valley Estate Project Area.

The revised Wolumla Valley Estate Concept Master Plan provides for a low to medium density residential development comprising approximately 391 variably sized residential allotments, which will encourage diverse housing styles, sizes and tenures – all of which having access to high amenity through public open space and movement networks. The Wolumla Valley Estate Concept Master Plan also responds to the demand to revitalise the ‘civic heart’ of Wolumla village through the delivery of an area set aside for neighbourhood commercial uses – near to the existing Wolumla Hotel/Pub, general store and historic community hall.

An extract of the revised Wolumla Valley Estate Concept Master Plan is included at **Figure 3** below.



Figure 3: Extract from Site Plan in the revised Wolumba Valley Estate Concept Master Plan prepared by Human Habitats and PLANNED.

Wolumla Valley Estate is proposed to be staged. The staging program will provide an integrated approach so as to facilitate the seamless transition for residential development throughout the Estate in relation to access to high amenity through open space and movement networks and the provision of service infrastructure. The first DA (being this current Application) will comprise the entirety of Stage 1, which includes the creation of 136 variably sized residential allotments, an allotment for the retail precinct as well as the delivery of main open space and recreation areas over nine (9) sub-stages. The remainder of the Estate will be delivered over nine (9) subsequent stages, being Stages 2 – 10.

The revised Wolumla Valley Estate Concept Master Plan prepared by Human Habitats and PLANNED applies to all stages and provides a detailed appraisal of the opportunities and constraints that have guided the development design process, as well as the principles and objectives to deliver the ultimate vision for Wolumla Valley Estate –

‘A new, high-quality urban precinct that is appropriate to the Bega Valley region in terms of its response to the site and connection to its surrounds’.

Specifically, the Concept Master Plan address the following:

- Development character.
- Development staging.
- Street Hierarchy and Character.
- Utility Servicing Strategy.
- Open Space Network.

Consequently, this revised SEE Report should be read in conjunction with the revised Concept Master Plan (as it relates to the Wolumla Valley Estate Stage 1 Project Area) included with the DA re-submission material.

3.2 Stage 1 Subdivision and Associated Civil Construction and Landscaping Works

3.2.1 Torrens Title Subdivision

As shown on the revised Proposed Plan of Subdivision [Drawing Nos. 2109-L05POS and L06POS] prepared by OCRE, approval is sought for the subdivision of the land to create 136 residential allotments, one (1) allotment for future commercial development, four (4) allotments for water sensitive urban design and/or public open space purposes and one (1) residual allotment for the future stages of development.

The proposed allotments and associated civil construction works (as detailed below) are intended to be developed in sub-stages as shown on the revised Staging Plan [Drawing No. 2109-P03STG] included with the DA re-submission material. Subject to market conditions, some sub-stages may be constructed concurrently.

A summary of the characteristics of the proposed Stage 1 allotments is provided at **Table 1** below.

Table 1: Summary of Proposed Stage 1 Allotment Characteristics

Proposed Lot	Land Use Zone	Minimum Lot Size Zone*	Proposed Lot Size	Primary Road Frontage	Width of Lot at Primary Road Frontage	Depth of Lot	Shape	Long Axis Orientation
Stage 1A								
MU 151	Zone R2	650m ²	2,252m ²	Bega Street	6.000m	48.530m (excl. handle)	Battle-axe	East – West
MU 152	Zone R2	650m ²	2,142m ²	Bega Street	6.000m+	59.460m	Rectangular	East – West
Stage 1B								
MU 153	Zone RU5 and R2	1,000m ² and 650m ²	2,021m ²	Scott Street	57.484m	34.000m	Rectangular	East – West
MU 154	Zone RU5 and R2	1,000m ² and 650m ²	2,111m ²	Scott Street	50.580m	48.963m	Rectangular	East – West
17	Zone R2	650m ²	562m ²	Road 01	12.500m	40.000m	Rectangular	North – South
18	Zone R2	650m ²	530m ²	Road 01	13.250m	40.000m	Rectangular	North – South
19	Zone R2	650m ²	530m ²	Road 01	13.250m	40.000m	Rectangular	North – South
20	Zone R2	650m ²	530m ²	Road 01	13.250m	40.000m	Rectangular	North – South
21	Zone R2	650m ²	535m ²	Road 01	13.387m	40.000m	Rectangular	North – South
22	Zone R2	650m ²	556m ²	Road 01	17.516m	40.000m	Rectangular	North – South
23	Zone R2	650m ²	630m ²	Road 01	19.668m	41.609m	Rectangular	North – South
24	Zone R2	650m ²	610m ²	Road 01	17.313m	39.992m	Rectangular	North – South
25	Zone R2	650m ²	601m ²	Road 01	15.250m	38.829m	Rectangular	North – South
26	Zone R2	650m ²	527m ²	Road 01	13.777m	37.779m	Rectangular	North – South
27	Zone R2	650m ²	521m ²	Road 01	14.000m	36.712m	Rectangular	North – South
28	Zone R2	650m ²	524m ²	Road 01	14.500m	35.607m	Rectangular	North – South
29	Zone R2	650m ²	525m ²	Road 01	15.000m	34.464m	Rectangular	North – South
30	Zone R2	650m ²	608m ²	Road 01	18.000m	33.092m	Rectangular	North – South
31	Zone R2	650m ²	605m ²	Road 01	18.009m	32.197m	Rectangular	North – South
32	Zone R2	650m ²	615m ²	Road 01	15.404m	34.110m	Rectangular	North – South
33	Zone R2	650m ²	543m ²	Road 01	14.250m	30.734m	Rectangular	North – South

Proposed Lot	Land Use Zone	Minimum Lot Size Zone*	Proposed Lot Size	Primary Road Frontage	Width of Lot at Primary Road Frontage	Depth of Lot	Shape	Long Axis Orientation
34	Zone R2	650m ²	473m ²	Road 01	15.751m	29.485m	Rectangular	North – South
35	Zone R2	650m ²	455m ²	Road 01	15.583m	28.306m	Rectangular	North – South
36	Zone R2	650m ²	456m ²	Road 01	16.500m	27.071m	Rectangular	North – South
37	Zone R2 & RU5	650m ² & 1,000m ²	456m ²	Road 01	17.252m	25.922m	Rectangular	North – South
38	Zone R2 & RU5	650m ² & 1,000m ²	458m ²	Road 01	16.302m	25.897m	Rectangular	North – South
Stage 1C								
39	Zone R2	650m ²	700m ²	Ferndale Lane	19.885m	35.000m	Corner	East – West
40	Zone R2	650m ²	680m ²	Ferndale Lane	17.000m	40.000m	Rectangular	East – West
41	Zone R2	650m ²	680m ²	Ferndale Lane	17.001m	40.000m	Rectangular	East – West
42	Zone R2	650m ²	680m ²	Ferndale Lane	17.001m	40.000m	Rectangular	East – West
43	Zone R2	650m ²	680m ²	Ferndale Lane	17.001m	40.000m	Rectangular	East – West
44	Zone R2	650m ²	680m ²	Ferndale Lane	17.001m	40.000m	Rectangular	East – West
45	Zone R2	650m ²	680m ²	Ferndale Lane	17.001m	40.000m	Rectangular	East – West
46	Zone R2	650m ²	800m ²	Road 11B	47.842m	32.487m	Corner	East – West
47	Zone R2	650m ²	785m ²	Road 04	43.442m	30.000m	Corner	East – West
48	Zone R2	650m ²	500m ²	Road 04	16.667m	30.000m	Rectangular	East – West
49	Zone R2	650m ²	500m ²	Road 04	16.667m	30.000m	Rectangular	East – West
50	Zone R2	650m ²	500m ²	Road 04	16.667m	30.000m	Rectangular	East – West
51	Zone R2	650m ²	500m ²	Road 04	16.667m	30.000m	Rectangular	East – West
52	Zone R2	650m ²	500m ²	Road 04	16.667m	30.000m	Rectangular	East – West
53	Zone R2	650m ²	500m ²	Road 04	16.667m	30.000m	Rectangular	East – West
54	Zone R2	650m ²	650m ²	Road 04	17.100m	30.000m	Corner	East – West
Stage 1D								
55	Zone R2	650m ²	700m ²	Road 04	28.971m	30.000m	Corner	East – West

Proposed Lot	Land Use Zone	Minimum Lot Size Zone*	Proposed Lot Size	Primary Road Frontage	Width of Lot at Primary Road Frontage	Depth of Lot	Shape	Long Axis Orientation
56	Zone R2	650m²	500m²	Road 04	16.667m	30.000m	Rectangular	East – West
57	Zone R2	650m²	500m²	Road 04	16.667m	30.000m	Rectangular	East – West
58	Zone R2	650m²	500m²	Road 04	16.667m	30.000m	Rectangular	East – West
59	Zone R2	650m²	500m²	Road 04	16.667m	30.000m	Rectangular	East – West
60	Zone R2	650m²	500m²	Road 04	16.667m	30.000m	Rectangular	East – West
61	Zone R2	650m²	500m²	Road 04	16.668m	30.000m	Rectangular	East – West
62	Zone R2	650m²	750m²	Road 04	18.825m	30.091m	Irregular	East – West
63	Zone R2	650m²	858m²	Road 04	33.605m	26.070m	Corner	Northeast – Southwest
64	Zone R2	650m²	912m²	Road 11B	23.180m	41.094m	Rectangular	Northeast – Southwest
65	Zone R2	650m²	929m²	Road 11B	54.054m	19.134m	Corner	Northwest – southeast
66	Zone R2	650m²	702m²	Road 05	33.681m	30.000m	Irregular	East – West
67	Zone R2	650m²	600m²	Road 05	20.000m	30.000m	Rectangular	East – West
68	Zone R2	650m²	600m²	Road 05	20.000m	30.000m	Rectangular	East – West
69	Zone R2	650m²	450m²	Road 05	15.000m	30.000m	Rectangular	East – West
70	Zone R2	650m²	450m²	Road 05	15.000m	30.000m	Rectangular	East – West
71	Zone R2	650m²	450m²	Road 05	15.000m	30.000m	Rectangular	East – West
72	Zone R2	650m²	450m²	Road 05	15.000m	30.000m	Rectangular	East – West
73	Zone R2	650m²	450m²	Road 05	15.000m	30.000m	Rectangular	East – West
74	Zone R2	650m²	565m²	Road 05	13.863m	30.000m	Rectangular	East – West
75	Zone R2	650m²	701m²	Road 03	38.874m	24.452m	Corner	East – West
159	SW Public Open Space (3,878m²)							
Stage 1E								
157	Public Open Space – Nature Play (838m²)							
158	SW Public Open Space – Flood Way (38,250m²)							

Proposed Lot	Land Use Zone	Minimum Lot Size Zone*	Proposed Lot Size	Primary Road Frontage	Width of Lot at Primary Road Frontage	Depth of Lot	Shape	Long Axis Orientation
160	SW Public Open Space (1,308m²)							
Stage 1F								
76	Zone R2	650m²	615m²	Road 05	29.647m	30.000m	Corner	East – West
77	Zone R2	650m²	479m²	Road 05	15.967m	30.000m	Rectangular	East – West
78	Zone R2	650m²	479m²	Road 05	15.967m	30.000m	Rectangular	East – West
79	Zone R2	650m²	479m²	Road 05	15.967m	30.000m	Rectangular	East – West
80	Zone R2	650m²	479m²	Road 05	15.967m	30.000m	Rectangular	East – West
81	Zone R2	650m²	479m²	Road 05	15.967m	30.000m	Rectangular	East – West
82	Zone R2	650m²	479m²	Road 05	15.967m	30.000m	Rectangular	East – West
83	Zone R2	650m²	600m²	Road 05	20.000m	30.000m	Rectangular	East – West
84	Zone R2	650m²	601m²	Road 05	18.753m	30.000m	Rectangular	East – West
85	Zone R2	650m²	608m²	Road 05	16.822m	30.009m	Rectangular	East – West
86	Zone R2	650m²	614m²	Road 05	16.800m	32.024m	Rectangular	East – West
87	Zone R2	650m²	604m²	Road 05	17.774m	32.103m	Rectangular	East – West
88	Zone R2	650m²	660m²	Road 05	23.021m	32.103m	Corner	East – West
89	Zone R2	650m²	660m²	Road 06	23.021m	32.103m	Corner	East – West
90	Zone R2	650m²	601m²	Road 06	20.798m	31.102m	Rectangular	East – West
91	Zone R2	650m²	600m²	Road 06	21.590m	30.210m	Rectangular	East – West
92	Zone R2	650m²	601m²	Road 06	22.065m	30.002m	Rectangular	East – West
93	Zone R2	650m²	601m²	Road 06	18.631m	30.000m	Rectangular	East – West
94	Zone R2	650m²	520m²	Road 06	17.334m	30.000m	Rectangular	East – West
95	Zone R2	650m²	530m²	Road 06	17.667m	30.000m	Rectangular	East – West
96	Zone R2	650m²	530m²	Road 06	17.667m	30.000m	Rectangular	East – West
97	Zone R2	650m²	540m²	Road 06	18.000m	30.000m	Rectangular	East – West

Proposed Lot	Land Use Zone	Minimum Lot Size Zone*	Proposed Lot Size	Primary Road Frontage	Width of Lot at Primary Road Frontage	Depth of Lot	Shape	Long Axis Orientation
98	Zone R2	650m ²	540m ²	Road 06	18.000m	30.000m	Rectangular	East – West
99	Zone R2	650m ²	540m ²	Road 06	13.869m	30.000m	Rectangular	East – West
100	Zone R2	650m ²	800m ²	Road 06	20.086m	32.134m	Rectangular	East – West
Stage 1G								
1	Zone R2 & RU5	650m ² & 1,000m ²	650m ²	Candelo Wolumla Road	27.079m	23.066m	Rectangular	North – South
2	Zone R2	650m ²	650m ²	Candelo Wolumla Road	25.000m	26.010m	Rectangular	North – South
3	Zone R2	650m ²	650m ²	Candelo Wolumla Road	25.000m	26.010m	Rectangular	North – South
4	Zone R2	650m ²	650m ²	Candelo Wolumla Road	25.000m	26.010m	Rectangular	North – South
5	Zone R2	650m ²	685m ²	Candelo Wolumla Road	29.083m	26.010m	Rectangular	North – South
6	Zone R2	650m ²	694m ²	Candelo Wolumla Road	20.750m	32.886m	Rectangular	North – South
7	Zone R2	650m ²	701m ²	Candelo Wolumla Road	20.250m	34.055m	Rectangular	North – South
8	Zone R2	650m ²	706m ²	Candelo Wolumla Road	19.750m	35.196m	Rectangular	North – South
9	Zone R2	650m ²	709m ²	Candelo Wolumla Road	19.250m	36.309m	Rectangular	North – South
10	Zone R2	650m ²	711m ²	Candelo Wolumla Road	18.750m	37.394m	Rectangular	North – South
11	Zone R2	650m ²	711m ²	Candelo Wolumla Road	18.250m	38.450m	Rectangular	North – South
12	Zone R2	650m ²	713m ²	Candelo Wolumla Road	18.000m	39.479m	Rectangular	North – South
13	Zone R2	650m ²	793m ²	Candelo Wolumla Road	12.500m	38.997m	Irregular	North – South
14	Zone R2	650m ²	749m ²	Candelo Wolumla Road	18.750m	40.000m	Rectangular	North – South
15	Zone R2	650m ²	749m ²	Candelo Wolumla Road	18.750m	40.000m	Rectangular	North – South
16	Zone R2	650m ²	809m ²	Candelo Wolumla Road	21.792m	40.000m	Rectangular	North – South
MU 155	Zone R2	650m ²	2,021m ²	Ferndale Lane	70.242m	27.917m	Corner	North – South
Stage 1H								
161	Retail Precinct (7,397m ²)							

Proposed Lot	Land Use Zone	Minimum Lot Size Zone*	Proposed Lot Size	Primary Road Frontage	Width of Lot at Primary Road Frontage	Depth of Lot	Shape	Long Axis Orientation
Stage 11								
101	Zone R2	650m ²	800m ²	Road 06	30.377m	30.000m	Corner	East – West
102	Zone R2	650m ²	451m ²	Road 06	12.500m	36.150m	Rectangular	East – West
103	Zone R2	650m ²	451m ²	Road 06	12.500m	36.150m	Rectangular	East – West
104	Zone R2	650m ²	451m ²	Road 06	12.500m	36.150m	Rectangular	East – West
105	Zone R2	650m ²	600m ²	Road 06	16.620m	36.150m	Rectangular	East – West
106	Zone R2	650m ²	451m ²	Road 06	12.500m	36.150m	Rectangular	East – West
107	Zone R2	650m ²	451m ²	Road 06	12.500m	36.150m	Rectangular	East – West
108	Zone R2	650m ²	451m ²	Road 06	12.500m	36.150m	Rectangular	East – West
109	Zone R2	650m ²	600m ²	Road 06	16.600m	36.150m	Rectangular	East – West
110	Zone R2	650m ²	609m ²	Road 06	14.999m	36.186m	Rectangular	East – West
111	Zone R2	650m ²	623m ²	Road 06	15.453m	37.569m	Rectangular	East – West
112	Zone R2	650m ²	673m ²	Road 06	15.037m	37.569m	Rectangular	East – West
113	Zone R2	650m ²	723m ²	Road 06	14.996m	40.729m	Rectangular	East – West
114	Zone R2	650m ²	700m ²	Road 06	31.073m	24.739m	Corner	North – South
115	Zone R2	650m ²	600m ²	Road 11	20.690m	29.000m	Rectangular	North – South
116	Zone R2	650m ²	658m ²	Road 11	25.370m	27.289m	Rectangular	North – South
117	Zone R2	650m ²	744m ²	Road 11	33.174m	22.507m	Corner	North – South
118	Zone R2	650m ²	700m ²	Road 08	18.306m	41.883m	Irregular	East – West
119	Zone R2	650m ²	624m ²	Road 08	15.210m	40.250m	Rectangular	East – West
120	Zone R2	650m ²	626m ²	Road 08	14.336m	38.497m	Rectangular	East – West
121	Zone R2	650m ²	600m ²	Road 08	15.840m	37.329m	Rectangular	East – West
122	Zone R2	650m ²	609m ²	Road 08	16.580m	36.152m	Rectangular	East – West
123	Zone R2	650m ²	451m ²	Road 08	12.500m	36.150m	Rectangular	East – West

Proposed Lot	Land Use Zone	Minimum Lot Size Zone*	Proposed Lot Size	Primary Road Frontage	Width of Lot at Primary Road Frontage	Depth of Lot	Shape	Long Axis Orientation
124	Zone R2	650m ²	451m ²	Road 08	12.500m	36.150m	Rectangular	East – West
125	Zone R2	650m ²	600m ²	Road 08	16.620m	36.150m	Rectangular	East – West
126	Zone R2	650m ²	451m ²	Road 08	12.500m	36.150m	Rectangular	East – West
127	Zone R2	650m ²	451m ²	Road 08	12.500m	36.150m	Rectangular	East – West
128	Zone R2	650m ²	564m ²	Road 08	12.500m	36.229m	Rectangular	East – West
129	Zone R2	650m ²	593m ²	Road 08	13.473m	37.860m	Rectangular	East – West
130	Zone R2	650m ²	544m ²	Road 03	22.439m	25.371m	Rectangular	North - South
131	Zone R2	650m ²	557m ²	Road 03	25.883m	25.371m	Rectangular	North - South
NOTES: *Subsequent to the outcomes of the Wolumla Flood Study, it is noted that Bega Valley Shire Council intends to prepare a re-zoning Planning Proposal that seeks to enable more subdivision within the sewerage areas of Wolumla Village by reducing the minimum lot sizes in the RU5 Village and R2 Low Density Residential zones to 600m², and to enable the creation of small lots in new R2 Low Density Residential Zone subdivisions to be smaller than the mapped minimum lot size, but no smaller than 350m². Refer to Section 4.6 of this revised SEE Report for further details as well as the revised Clause 4.6 Variation Report included with the DA re-submission material. All of the proposed residential allotments highlighted 'blue' in the Table above are deemed to be standard allotments (i.e., being equal to or greater than the current and future intended prescribed minimum lot size – 600m²). The residential allotments that are not highlighted are deemed to be 'small lots' for the purposes of the aforementioned future re-zoning Planning Proposal. Where relevant, splay corner dimensions have been included in the calculation of lot width and depth.								

3.2.2 Construction of Roads and Pedestrian Pathways

3.2.2.1 External Vehicle Access and Road Upgrades

Vehicular access to Stage 1 is proposed to be via new access arrangements to the existing external road network, being:

- Four (4) new intersections onto Ferndale Lane (as proposed to be upgraded).
- One (1) new intersection to Scott Street / Candelo Wolumla Road – being proposed Road 27, which will intersect with proposed Road 1 and the under construction local road associated with the adjoining subdivision (DA2007.0759).
- New driveway connection/s to Bega Street associated with proposed residential allotments MU 151 and 152.

As part of the delivery of Stage 1, it is proposed to upgrade part of Ferndale Lane and its intersection with Candelo Wolumla Road so as to provide a consistent road cross section and smooth transition. Currently, the existing Ferndale Lane formation comprises a 4.0m wide gravel rural lane with open channel drainage on both sides within a 10m wide road reservation – providing access to the rural landholdings from Candelo Wolumla Road. As part of this Application, the following conditions are proposed:

- Upgrade of the existing 'T' intersection to include a basic right (**BAR**) turn treatment and basic left (**BAL**) turn treatment. Details of the intersection upgrades are included at Section 5.4 of the revised Traffic Engineering Report prepared by TTM and Drawing 2109-P17INT prepared by OCRE included with the DA submission. These proposed works will also include the relocation of the entrance driveway to existing Lot 1 DP709399 to the crest in the proposed upgrade of Ferndale Lane for improved sight distance.
- Relocation of the 50km/hr speed zone currently located circa 150m east of Ferndale Lane to a suitable position located west of the Ferndale Lane / Candelo Wolumla Road intersection so as to facilitate motorist safety.
- Upgrade Ferndale Lane from the upgraded intersection with Candelo Wolumla Road to the southern extent of proposed Road 11. Specifically, upgrade the nominated portion of Ferndale Lane to a collector road standard via the provision of a 20m wide road reservation comprising 6.6m wide sealed carriageway (with 3% two-way crossfall), 2.3m wide indented car parking along the subject property side of the carriageway, 5.55m wide verges with a 2.5m shared pathway provided in the near side verge only. Refer to the revised Typical Cross Sections [Drawing No. 2109-P13TYPX] prepared by OCRE included with the DA re-submission material.

In addition to the above, the Stage 1 works will also include the partial upgrade of Scott Street / Candelo Wolumla Road to a sub-arterial road standard. Specifically, as fronting the proposed Stage 1 area, upgrade the westbound alignment (i.e., being that part of the road measured from the existing centreline to the 'Wolumla Valley Estate' boundary) to comprise a 3.25m wide single lane width, 2.3m wide indented car parking, a variable width verge (3.95m-9.4m) with 2.5m shared pathway. Refer to the revised Typical Cross Sections [Drawing No. 2109-P14TYPX] prepared by OCRE included with the DA submission. It is expected that the upgrade of the northern alignment of the road would occur as part of the future development of the vacant R2 zoned land adjacent to the north.

3.2.2.2 Internal Roads and Pedestrian Pathways

A total of twelve (12) roads are proposed to be constructed and delivered as part of Stage 1. The design standards for the proposed roads are generally based on the relevant Bega Valley Development Design Specification (D1 Geometric Road Design Urban and Rural) as well as the Average Annual Daily Traffic (**AADT**) and will comprise of local sub-arterial, collector, local and access road typologies. All of the proposed roads are to be dedicated to Council as public roads.

The design and construction standards of the proposed road typologies are generally compliant with the minimum requirements prescribed by the relevant Bega Valley Development Design Specification. A summary of the proposed design characteristics is provided in **Table 2** below.

Table 2: Summary of Proposed Stage 1 Road Characteristics

Proposed Road	Typology	Road Reserve Width	Carriageway Width	Verge Width	Pedestrian Pathway	Posted Speed
Ferndale Lane*	Collector (Bus Route)	20m	6.5m with 2.3m indented parking on one side	5.55m / 5.55m	2.5m shared path on one side only	50km/hr
Road 11	Collector (Bus Route)	18m	6.6m with 2.3m indented parking on one side	4.45m / 4.45m	2.5m path on one side only	50km/hr
Road 1	Local (Edge Road)	15m	7.3m	5.35m / 2.35m	1.5m path on one side only	50km/hr
Roads 2 – 6, 8, 9 and 27	Local	18m	7.3m	5.35m / 5.35m	1.5m path on one side only	50km/hr
Road 11B	Access (Edge Road)	15m	5.5m	7.15m / 2.35m	1.5m path on one side only	50km/hr

Proposed Road	Typology	Road Reserve Width	Carriageway Width	Verge Width	Pedestrian Pathway	Posted Speed
NOTES:						
*Applies to Ferndale Lane (from Candelo Wolumla Road to proposed Road 11 intersection – extent of Stage 1 works).						

It is noted that a number of departures from the Development Design Specification are proposed. **Table 3** below, provides detail of those departures as well as a justification for each.

Table 3: Summary and Justification for Proposed Departures

Design Specification	Section	Standard	Justification for Departure
D1.14 Road Reserve Characteristics	Urban Design Criteria	Minimum prescribed carriageway width for collector, local and access roads.	The carriageway widths of all road types have been reduced to reflect current minimum requirements relevant to the intended purpose of the road and to reduce the asset burden on Council, e.g. a Typical Collector Road of 8.0m wide carriageway provides no trafficable advantage over a 7.3m wide carriageway, which allows cars to be parked on both sides of the street (opposite each other) and for a truck to pass between at a sensible speed. With one car parked, a two-way condition allows a car and truck to pass with appropriate care at appropriate speed, as does a carriageway width of 8.0m. Further justification for the proposed departure is presented in the revised Traffic Engineering Report prepared by TTM included with the DA re-submission material.
		Road reserve verge width	Road Reserve and Verge widths for all proposed road types exceed the minimum requirements as per BVSC Table D1.5 to provide sufficient corridor widths and appropriate clearances for underground services, paths, trees and streetlights. All municipal services, namely pressure sewer, will be within the road reserve rather than in an easement at the front of the Lots.
		Footpath requirements	The proposed footpaths within the development are minimum 1.5m wide for all road typologies. Whereas the current requirement for footpaths in all road types is 1.2m wide. 1.5m wide footpaths are regarded as the current minimum standard width to permit walking pedestrians in opposing directions to not have to deviate from the path when passing as is the case for the 1.2m wide path.

3.2.2.3 Internal Driveways

A single verge crossover will be provided off Bega Street servicing proposed allotments MU 151 and 152. A 6.0m wide internal driveway will be constructed within the proposed MU Lot 151 battleaxe handle from the verge crossover to the end of the handle. The neighbouring proposed MU Lot 152 will have ROW rights over the MU Lot 151 battleaxe handle and driveway for access.

Verge crossovers are proposed to be constructed by the eventual property owners. The crossovers will be constructed as a modified layback kerb, which is trafficable, and will be provided to all roads with direct access to the property frontages, so as to permit flexible driveway locations based on future dwelling design. Vehicle crossings of the upright kerb and gutter will be provided by the Proponent for proposed Lots 115 and 116 given that the proposed kerb type in Road 11 is not trafficable. Preferred Driveway locations are indicated in the revised Drawings prepared by OCRE to illustrate the desirable location of the access arrangements.

3.2.3 Installation of New Sub-Surface Services / Utilities

As shown on revised Drawings 2109-P80UTY-P82UTY prepared by OCRE, existing utilities infrastructure is available for connection to Stage 1 subsequent to the required augmentation works as detailed below.

3.2.3.1 Electrical and Telecommunications

It is proposed that Stage 1 be serviced by a reticulated network via the installation of multiple electrical substations and minipillars and the underground trenching of electrical and telecommunication infrastructure. For each of the proposed allotments, electrical and telecommunication infrastructure would be located within a common services trench within the adjoining road verge.

Connections to the existing overhead electricity network will be within Scott Street near the Bega Street intersection, Ferndale Lane near the Road 3 Intersection and at Road 8. The existing overhead electricity cables within the Scott Street road reserve may be retained if the normal verge re-grading can be achieved in a widened Candelo Wolumla Road design. This overhead conductor route is currently supplying the existing properties north of Scott Street. Similarly, the existing overhead electricity cable traversing Stage 1 will be diverted to the underground common trench alignments within the proposed roads.

Kiosk type electrical substations will be required at the medium density allotments, being MU Lots 151, 152, 153, 154 and 155, the retail allotment Lot 161, within the Southern Floodway / Public Open Space Lot 158 area generally opposite the Road 3/Road 4 intersection and Road 3/Road 8 intersection.

Telecommunications (NBN) service conduits and below ground pits, will be provided in the common trench passing each proposed lot to allow NBN Co to draw cables through and service lead ins to all properties. It is understood the existing communications cables traversing the site in Stage 1 have been realigned clear of the subject property by the developer of the adjacent subdivision (DA2007.0759).

3.2.3.2 Potable Water Supply and Sewerage Servicing

Connections to the existing Low Zone potable water network are proposed in Scott Street at Road 27, Scott Street (northern verge) at Lot 4 DP826834 and the under-construction subdivision (DA2007.0759). Additional connections to the Low Zone network can be made at the corner of Philip Street and Bega Street or to the southern termination of the adjacent subdivision (DA2007.0759) if additional security of supply is required.

DN150 water mains are proposed in Candelo Wolumla Road (from the connection point), Ferndale Lane, Road 11 and Road 27. DN100 mains are proposed throughout the remaining roads within the development. Hydrants will be placed at the required 90m maximum spacing throughout the development to provide for fire-fighting supply. Stop Valves will be placed at locations such that shutdowns are generally contained to 20 lots.

The existing Wolumla potable water network includes a 1.0ML reservoir located adjacent to Mine Lane and a pressure reducing valve (**PRV**) adjacent to Momsen Street within Lot 7 Sec 4 DP3608. Previous enquiries to Bega Valley Shire Council have confirmed that there is sufficient storage capacity within the existing reservoir to sustain the proposed Stage 1 development. The downstream hydraulic grade line at the PRV is 235.4m. The lowest elevation within the proposed subdivision occurs at the Ferndale Lane/Road 3 intersection (being 143m) and therefore, proposed Lots 39-46 may experience a static pressure of 93.4m, which marginally exceeds the desirable maximum pressure of 900kpa (91.8m). Given the minor number of proposed lots impacted by the marginal exceedance of the water pressure, and that there are no immediate planned residential properties downslope of the proposed development, it is not expected additional PRVs, and hence an additional water zone, will be required or provided.

A service tapping for the proposed BBQ facilities within Lot 158 – Northern Floodway (in Stage 1E), could connect to the adjoining subdivision (DA2007.0759) water network or the proposed water mains within proposed Road 1 or Road 3.

The original pressure sewer network design at Wolumla was based on a cumulative total of 258 lots within the Low Zone (including an allowance for the current DA2007.0759) and 95 lots within the High Zone. The original design was based on a 3EP/Lot loading for the reticulated sewerage system. Bega Valley Shire Council now considers that a 2.3EP/Lot is a more accurate figure for calculating sewerage loading and have suggested the current sewerage load at Wolumla is approximately 400EP, which at 2.3EP/Lot equates to 174 lots. Making an allowance for the incomplete DA2007.0759 (45 lots), it would appear that the existing pressure sewer reticulation system is sustaining 219 lots and thus, has the capacity to accommodate a further 134 lots without requiring augmentation.

Wolumla Valley Estate Stage 1 includes a total of 141 parcels of land of which 136 lots will require connection to the existing pressure sewer network. It is therefore proposed that no augmentation of the existing pressure sewer network is required for proposed Stage 1. The pressure sewer mains are expected to be DN40/DN50/DN63 and connections to existing are proposed at the western termination of the existing network in Scott Street at Lot 4 DP826834, Scott Street/Road 27 intersection, the adjoining subdivision (DA2007.0759) and to the high pressure network in Bega Street. Bega Valley Shire Council has advised that there exists sufficient capacity within the Wolumla Sewerage Treatment Plant to accept the sewerage load generated from the proposed development.

A sewerage connection for the proposed toilet within proposed Lot 157 (public open space – nature play in Stage 1E), can be made to the proposed sewer main in Road 27.

3.2.3.3 Stormwater Drainage Infrastructure

Road drainage shall be provided generally by trafficable grated kerb inlet pits within the modified layback kerb and concrete pipe network beneath the kerbs. Property stormwater ties will be provided to all lots via direct connections to the main (where possible), interallotment drainage systems or kerb outlets.

The site contains two defined gully systems (refer to revised OCRE Drawing 2109-P50SW), which drain in a westerly direction across Ferndale Lane and onto the properties to the west. The northern catchment exhibits a confluence of two (2) lower order waterways at the western boundary with Ferndale Lane where a large farm dam is located. The two (2) lower order waterways are referred to as the Northern and Southern Floodway though this site. The upper half of the Northern Floodway catchment contains the existing residential properties along Scott Street, Bega Street, Momsen Street and Philip Street.

On Site Detention (**OSD**) facilities are provided in the Northern and Southern Floodways as the 0.6m deep air space above the water quality ponds to limit the developed runoff flow rates to no more than the runoff flow rates from the undeveloped catchment. Similarly, the proposed SW POS Lot 159 contains OSD storage above the water quality ponds and underground OSD storage in the parcel of land and the Road 11 and Road 11B road pavements by using a structural engineered cell.

Prior to stormwater runoff entering the ponds, Gross Pollutant Traps (**GPTs**) will remove significant pollutants allowing the ponds to polish the stormwater. The large existing dam wall on the property adjacent to Ferndale Lane will be reduced in height and thus a shallower permanent body of water maintained. The treatment train of GPTs, ponds, grassed floodways and vegetated shorelines will filter pollutants from stormwater and thus improve the water quality. There are three (3) GPTs proposed at discharge points into the Southern Floodway (refer to revised Drawings 2109-P52SW and 2109-P54SW) at the Road 3/Road 4 intersection, on Road 3 between Road 5 and Road 6 and at Road 9. There is single GPT proposed at Road 11/Road 19 (refer to revised OCRE Drawing 2019-P56SW) to provide primary treatment of the stormwater.

Pond embankments within the floodways within proposed SW POS Lot 158 and Lot 159 have been conceptually designed to allow the 1%AEP peak flow (Q_{ov}) to over top the embankment while containing the flow within either the floodway/drainage reserve or within the high side kerbs of the adjacent edge road.

Major stormwater conduits will be required for the two discharge points from the catchments under Ferndale Lane. Reinforced concrete box culverts will be required to provide the necessary capacity, while limiting the height of the formation to avoid necessary earthwork batters extending into the private properties to the west. Other significant conduits will appear in the Road 3 and Road 11 road drainage networks to ensure the peak developed flows can be accommodated in the floodway/roadway stormwater system.

3.2.4 Bulk Earthworks and Land Contouring

To achieve the desired levels to facilitate future residential development, a revised preliminary earthwork grading design (which includes pavement materials) is included in this Application and suggests that 44,800m³ of material will be cut and repositioned on the site together with the importation of approximately 17,100m³ of material. The location of the proposed cut and fill works is illustrated on revised Drawings 2109-P37EW & 2109-P38EW prepared by OCRE included with the DA re-submission material. The cut and fill quantities are as per **Table 4** below.

Where possible, areas proposed to be regraded are proposed to be battered to a slope of 1 in 4, which can later be redesigned as necessary as part of future Development Applications.

Table 4: Cut and Fill Balance

Approximate Earthworks	Approximate Volume (m ³)
Cut	44,800
Fill	61,900
Balance	-17,100

NOTE: The proposed re-grading and resultant earthworks are resolved to a level of detail to confirm that the revised layout can be achieved in accordance with the relevant statutory requirements. The final design of the re-grading and earthworks would be resolved at the detailed design phase and presented as part of any future Application for the issue of a Subdivision Works Certificate.

3.2.5 Installation of Water and Sediment Controls

The proposed works will involve the installation of a number of sediment and erosion control measures to address any potential impacts associated with the Stage 1 development. These measures will be presented in the detailed design drawings submitted as part of a future Application for the issue of a Subdivision Works Certificate, and generally include the following:

- Use of the existing dams on site as sedimentation basins or construction of temporary sediment basins where required.
- Construction of stabilised site accesses at various locations to the individual substages.

- The use of sediment control structures such as silt fencing and hay bales in areas that are most effective and efficient.
- The use of temporary tree protection fencing to trees proposed to be retained within the work site area.
- Erection of temporary fencing to exclude construction plant from existing vegetation areas to be retained.

3.2.6 Landscaping

A revised Landscape Concept Plan has been developed for the Stage 1 Project Area, demonstrating the character and intent for both hard and soft landscape treatments to be delivered as part of the subdivision of the land. The landscape design intends to deliver high-quality public infrastructure to enhance streetscape and open space character in line with the overarching vision for Wolumla Valley Estate.

With reference to the revised Landscape Concept Plan prepared by Human Habitats included with the DA re-submission material, the landscape design for the Stage 1 Project Area includes the following public assets:

- Residential streetscapes comprising bespoke treatments, such as variable verge widths to accommodate sporadic groupings of native trees and utilising variable deciduous tree species to create distinct streetscape typologies and to achieve urban cooling outcomes via the provision of year-round canopy.
- Open space plantings and the retention of key vegetation within public land (where possible) to help protect local biodiversity and to enhance landscape character.
- Constructed wetlands / naturalistic on-site stormwater detention basins to achieve water sensitive urban design principles as well as aesthetic and habitat value.
- Integrated pedestrian pathway network, inclusive of shared pathways along key streetscapes and open space movement corridors.
- Functional play area largely comprising nature play equipment – for example, logs, rocks and sensory plantings.
- Sport facilities, including a multi-purpose basketball/netball court and bicycle pump track.
- Strategically placed open space furniture including, an accessible toilet facility, bench seats, shelters with bench seating, and one (1) shelter with an electric BBQ and accessible fixed table with seating.

4 Strategic and Statutory Planning Context

This Section of the Report assesses the proposed development against the planning framework and planning controls applicable to the site and the development, including:

- Commonwealth legislation
- Biodiversity conservation (Section 1.7 of the EP&A Act)
- Integrated development matters (Section 4.46 of the EP&A Act)
- Matters for consideration relating to Development Applications (Section 4.15 of the EP&A Act)

4.1 Commonwealth Legislation

4.1.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The EPBC Act protects matters of National Environmental Significance (**NES**), such as threatened species and ecological communities, migratory species (protected under international agreements), and National Heritage places (among others).

Any actions that will or are likely to have a significant impact on the matters of NES, require referral and approval from the Australian Government Environment Minister. Significant impacts are defined by the Commonwealth for matters of NES.

Comment

As detailed in the revised Biodiversity Development Assessment Report (**BDAR**) prepared by Local Environmental Solutions included with the DA re-submission material, the proposed development (all stages) is unlikely to significantly impact EPBC Act listed matters of NES given that the subject land:

- Does not support any EPBC Act listed ecological communities,
- Does not support any EPBC Act listed flora species, or
- Is unlikely to contain habitat of potential importance to EPBC Act listed threatened or migratory species.

Accordingly, an EPBC Act referral is considered to be unwarranted.

4.2 State Legislation

4.2.1 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (**BC Act**) commenced on 25 August 2017 and replaced the Threatened Species Conservation Act 1995 (**TSC Act**). Together with the Local Land Services Amendment Act 2016 and State Environmental Planning Policy (Biodiversity and Conservation) 2021, this regulatory framework provides a balanced approach to land management and biodiversity conservation in NSW.

Comment

Under the BC Act, the Biodiversity Offsets Scheme (**BOS**) is triggered, and a BDAR prepared applying the NSW Biodiversity Assessment Method (**BAM**) by an accredited BAM Assessor must accompany a DA, for a proposed development which:

1. will involve clearance of native vegetation (including trees, understorey plants, groundcover plants, and wetland plants) or a prescribed impact (as set out in Clause 6.1 of the Biodiversity Conservation Regulation 2017 [BC Regulation]) on land identified on the Biodiversity Values Map; and/or
2. will exceed the native vegetation clearance threshold for the smallest minimum lot size associated with the study area; and/or
3. may significantly impact one or more BC Act listed entities (i.e., threatened species or ecological communities).

A revised BDAR has been prepared by Local Environmental Solutions to identify and assess the significance of the impacts that the proposed development (all stages) will have on the biodiversity values of the subject land. Although general biodiversity values are identified and considered, the primary purpose of the revised BDAR is to present the results of Local Environmental Solutions' application of the BAM to assess the significance of the impact of the proposed development (all stages) on biota listed as threatened under the BC Act.

As detailed in the revised BDAR, vegetation and potential flora/fauna habitat were surveyed and mapped in accordance with the BAM to identify the credit obligations required under the BOS. In summary, the following was determined:

- The proposed clearance of 0.13 hectares of wetland vegetation derived from Plant Community Type (PCT) 4050 'South Coast Floodplain Wetland Paperbark Scrub' would generate four (4) Ecosystem Credits. The vegetation proposed to be cleared does not meet the definition of any listed Threatened Ecological Communities.
- Eighteen (18) Candidate Species Credit Species required further assessment. Surveys for these species were carried out following DPE's taxa-specific survey guideline with regards to timing of the survey, method and survey effort. The presence of three (3) Candidate Species Credit Species were recorded during site surveys, being the Southern Myotis (*Myotis macropus*), the Squirrel Glider (*Petaurus norfolcensis*) and the Powerful Owl (*Ninox strenua*). For the Southern Myotis, 1.27 hectares of suitable habitat would be impacted, generating thirteen (13) Species Credits. For the Squirrel Glider and the Powerful Owl, 0.07 hectares of suitable habitat would be impacted, generating one (1) Species Credit each.
- A number of mature paddock trees within the subject land meet the BAM 2020 definition of 'scattered trees'. The proposed removal of fourteen (14) of these trees generated Ecosystem Credit obligations from two different PCTs being, PCT 3332 'Southeast Lowland Grassy Woodland' (12 Credits) and PCT 4050 'South Coast Floodplain Wetland Paperbark Scrub' (1 Credit).
- Adequate consideration had been given to avoiding and minimising impacts to biodiversity in the design and siting of the Wolumla Valley Estate proposal.
- Subsequent to the retirement of credits and effective implementation of the recommended mitigation measures, the Wolumla Valley Estate proposal is consistent with the requirements of the BAM.

4.3 Integrated Development

Section 4.46 of the EP&A Act requires a review of whether the proposed development on the land would trigger an approval under other environmental or related legislation. Such development is categorised as ‘integrated development’.

The following provides a brief overview on whether any aspect of the revised development proposal triggers a need for the consent authority to obtain general terms of approval from other relevant approval authorities.

Table 5: Assessment of Integrated Development Matters

Integrated Development Matters	
Coal Mine Subsidence Compensation Act 2017	☐ Yes ☐ No ☒ N/A
Fisheries Management Act 1994	☐ Yes ☒ No ☐ N/A
Heritage Act 1977	☐ Yes ☒ No ☐ N/A
Mining Act 1992	☐ Yes ☐ No ☒ N/A
National Parks and Wildlife Act 1974	☒ Yes ☐ No ☐ N/A
Petroleum (Onshore) Act 1991	☐ Yes ☐ No ☒ N/A
Protection of the Environment Operations Act 2002	☐ Yes ☒ No ☐ N/A
Roads Act 1993	☐ Yes ☒ No ☐ N/A
Rural Fires Act 1997	☒ Yes ☐ No ☐ N/A
Water Management Act 2000	☐ Yes ☒ No ☐ N/A
Comments. Fisheries Management Act 1994 The <i>Fisheries Management Act 1994</i> (FM Act) is the predominant legislation for managing the NSW fishery resource. Under the integrated development provisions of the EP&A Act, the NSW Department of Primary Industries is an ‘approval body’ for local development that requires one or more of the following permits under the FM Act: ▪ Section 144 – Aquaculture permit (i.e., cultivating fish or marine vegetation for sale / commercial purposes). ▪ Section 201 – Permit to carry out works of dredging or reclamation (i.e., any excavation within or filling of water land). ▪ Section 205 – Permit to harm (cut, remove, damage, destroy, shade etc.) marine vegetation (mangroves, seagrass and seaweeds). ▪ Section 219 – Permit to obstruct the free passage of fish. The revised development proposal does not require any of the above permits as it does not involve works and/or activities within or adjacent to a waterway mapped or defined as key fish habitat.	

Heritage Act 1977

The *Heritage Act 1977* provides for the protection, conservation, registration and promotion of items having a State heritage significance.

Section 57 of the Act states that a person must not 'demolish, despoil, excavate, alter, move, damage or destroy' any item on the State Heritage Register without a permit being granted under Section 63 of the *Heritage Act 1977*.

The revised development proposed does not involve an item or place listed on the NSW State Heritage Register. Approval is therefore not required under Section 57 of the *Heritage Act 1977*.

National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (**NPW Act**) is administered by the Director-General of the National Parks and Wildlife Services, who is responsible for the control and management of all national parks, historic sites, nature reserves, and Aboriginal areas (among others). The main aim of the Act is to conserve the natural and cultural heritage of NSW. Where works will disturb Aboriginal objects, an Aboriginal Heritage Impact Permit (**AHIP**) is required.

An Aboriginal Cultural Heritage Assessment Report (**ACHAR**) has previously been prepared by On Site Cultural Heritage Management Pty Ltd for the entirety of the Wolumla Valley Estate Project Area and was included with the original DA submission.

As detailed in the ACHAR, parts of the Project Area in which impacts are proposed, including the proposed residential allotments and civil infrastructure, are known to contain artefactual material (stone artefacts) in variable density. The remainder of the Project Area was assessed to be of very low to negligible archaeological potential. On the basis that the Project Area has undergone high levels of prior disturbance associated with past agricultural use of the land (i.e., land clearance, livestock grazing, cultivation and other forms of landscape modification), the archaeological context of Aboriginal objects/sites is expected to be correspondingly disturbed.

With the exception of Mine Lane Survey Unit 9 (AHIMS Sites 62-6-0669 and 62-6-0675), the Project Area and low density, negligible artefact distribution and associated AHIMS Sites were assessed as having a low level of archaeological significance. Mine Lane Survey Unit 9 (AHIMS Sites 62-6-0669 and 62-6-0675) was assessed as having a moderate level of archaeological significance.

The area containing Mine Lane Survey Unit 9 (AHIMS Sites 62-6-0669 and 62-6-0675) was originally proposed to be conserved within an area of public open space. This outcome was not supported by Bega Valley Shire Council staff who have indicated a preference for the rationalisation of public open space for this Project given the long-term maintenance burden. As such, it is proposed that a process of archaeological salvage excavation (in collaboration with Aboriginal people) be undertaken with artefacts re-buried on-site for future posterity.

Given the above, the Proponent will be required to apply for an AHIP to undertake the archaeological salvage, to permit the proposed development and the disturbance of identified sites and Aboriginal objects. The proposed AHIP area would comprise the entire Project Area of Lot 2 DP1287077 to account for the disturbance of all archaeological materials and any unexpected finds.

Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* establishes the NSW environmental regulatory framework and includes a licensing requirement for certain activities.

The revised development proposal is not a defined scheduled activity under the provisions of Schedule 1 of the *Protection of the Environment Operations Act 1997*. On this basis, no additional approval is required to address this legislation.

Roads Act 1993

Section 138 of the *Roads Act 1993* requires an approval from the Roads Authority (either Council or TfNSW) for certain works in, on or over a public road, or to connect to a classified road.

The revised development proposal does not have a frontage to a classified road. As such, TfNSW is not a referring agency for the subject Application under Clause 4.46 of the EP&A Act. Rather, it is understood that the Bega Valley Shire Council would be the Roads Authority for any proposed works within the adjoining road reservations.

Rural Fires Act 1997

Section 100B of the *Rural Fires Act 1997* requires that a bush fire safety authority be obtained for the subdivision of bush fire prone land that could lawfully be used for residential purposes or the development of bushfire prone land for a special fire protection purpose.

As shown in **Figure 4** below, the subject land is mapped as being bushfire prone (Vegetation Buffer and Vegetation Category 1 and 3). A Bushfire Assessment Report (**BAR**) was previously prepared by Australian Bushfire Assessment Consultants to assess the proposed development against the relevant provisions of the *Rural Fires Act 1997* as well as Planning for Bushfire Protection 2019. The BAR was included as part of the

original DA submission and concluded that provided the recommendations in relation to asset protection zones (**APZs**), landscaping, construction standards, access, services and water supplies are implemented, the proposed development would be consistent with the relevant performance criteria of Planning for Bushfire Protection 2019.

Integrated referral comments in relation to the development proposal were received from NSW RFS on 23 April 2024. In short, NSW RFS requested further information to demonstrate how proposed Stages 1 and 2 can comply with Table 5.3b of Planning for Bushfire Protection 2019 noting that Ferndale Lane is a dead-end road. An assessment of how the revised development proposal complies with Table 5.3b is included as part of the DA re-submission material.

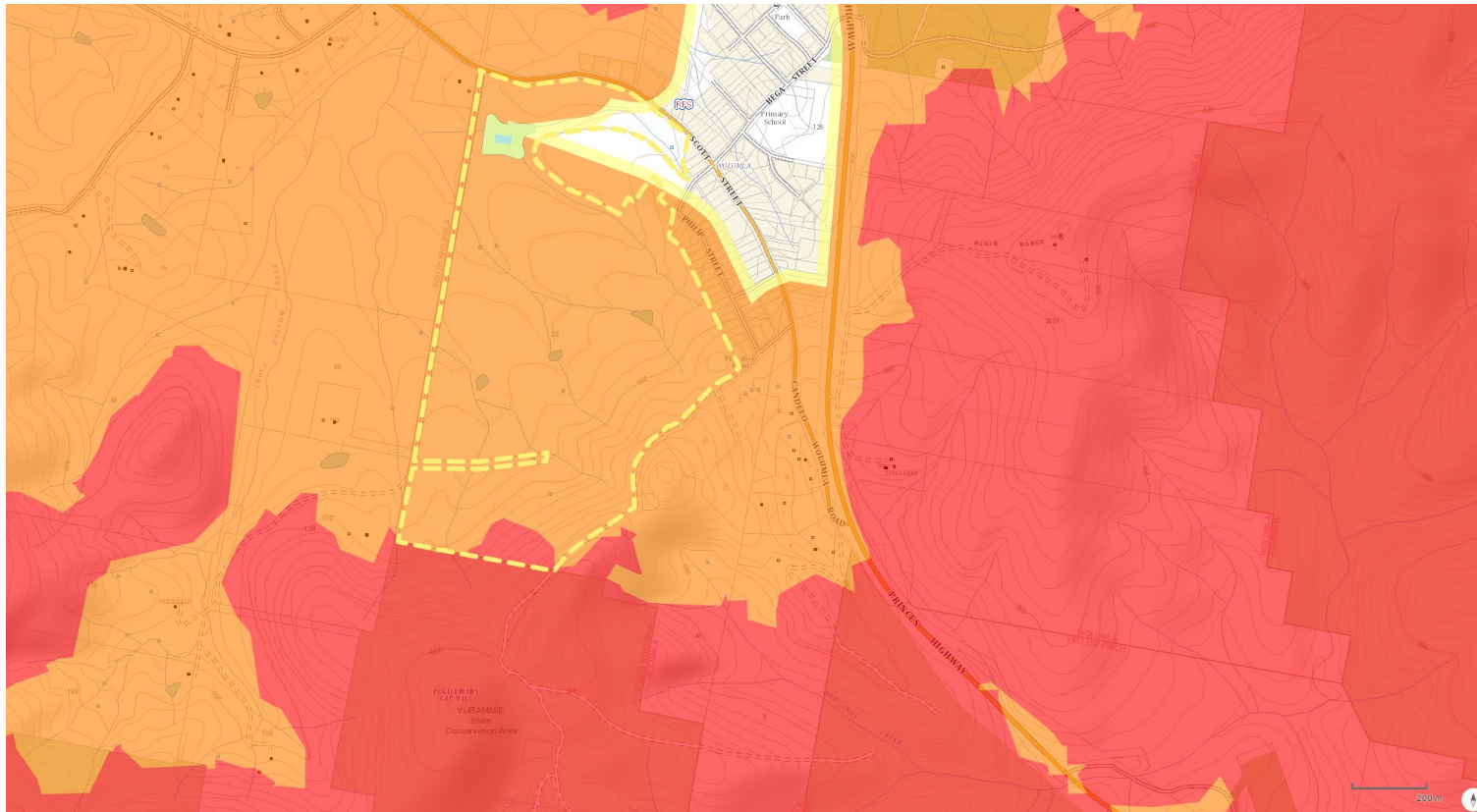


Figure 4: Extract from Bushfire Prone Land Map (Non-EPI) ([NSW Planning Portal Spatial Viewer](#), accessed November 2023)

Water Management Act 2000

In accordance with section 91(2) of the *Water Management Act 2000* (**WM Act**), a controlled activity approval (**CAA**) is required to be obtained for any activity situated within ‘waterfront land’ (considered to be within 40m of the top of a bank of a river, lake or estuary). The Natural Resources Access Regulator (**NRAR**) administers the WM Act and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to ‘waterfront land’ as a consequence of carrying out the controlled activity.

With reference to the Stormwater – Stream Classification Drawings prepared by OCRE, the subject land contains a number of unnamed, mapped hydrolines / watercourses (Strahler System 1st order and 2nd order), which ‘flow’ towards Frogs Hollow Creek (Strahler System 3rd order) located approximately 200m west of the subject site.

As stated in the Department of Planning and Environment Fact Sheet – Controlled activities – Guidelines for Riparian Corridors on Waterfront Land, where a watercourse does not exhibit the features of a defined channel with bed and banks, it may be determined that the watercourse is not waterfront land for the purposes of the WM Act.

As can be discerned by the photographs included with the Stormwater – Stream Classification Drawings prepared by OCRE, the mapped hydrolines / watercourses do not exhibit the features of a defined channel with bed and banks.

Rather, due to the long-term and persistent cattle grazing of the property, the hydrolines / watercourses are predominantly silted up, weedy, carry very little (if any) surface water and comprise minimal native riparian vegetation. On this basis, the mapped hydrolines / watercourses should not be determined to be waterfront land for the purposes of the WM Act.

Given the degraded state of the mapped hydrolines / watercourses, they are proposed to be integrated into the landscape and open space outcomes for Wolumla Valley Estate – providing visual relief and landscape character to the future built environment. They are also proposed to form part of a broader Water Sensitive urban Design (**WSUD**) approach for Wolumla Valley Estate by encompassing water quality and on-site detention facilities via a series of constructed wetlands / chain of ponds. Importantly, the constructed wetlands / chain of ponds would support native flora and fauna – thereby creating important habitat and habitat connectivity, which does not currently exist on the site.

The detailed engineering, landscape design and management regime for the constructed wetlands / chain of ponds would be provided as part of any subsequent Application for the issue of a Subdivision Works Certificate.

4.4 Environmental Planning Instruments

The following addresses the State Environmental Planning Policies (**SEPPs**) and/or deemed SEPPs that are considered to be relevant to this DA.

Table 6: Assessment of Relevant SEPPs

Environmental Planning Instruments	
SEPP (Biodiversity and Conservation) 2021	☒ Yes ☐ No ☐ N/A
SEPP (Exempt and Complying Development Codes) 2008	☐ Yes ☒ No ☐ N/A
SEPP (Housing) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Industry and Employment) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Precincts – Central River City) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Precincts – Eastern Harbour City) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Precincts – Regional) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Precincts – Western Parkland City) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Primary Production) 2021	☐ Yes ☐ No ☒ N/A

SEPP (Resilience and Hazards) 2021	☒ Yes ☐ No ☐ N/A
SEPP (Resources and Energy) 2021	☐ Yes ☐ No ☒ N/A
SEPP (Sustainable Buildings) 2022	☐ Yes ☐ No ☒ N/A
SEPP (Transport and Infrastructure) 2021	☒ Yes ☐ No ☒ N/A
Comments SEPP (Biodiversity and Conservation) 2021 This Policy provides the legislative planning framework for protecting and managing the natural environment and includes planning rules for several water catchment areas (i.e., Georges River, Hawkesbury-Nepean, Sydney Harbour and Sydney Drinking Water), foreshores and waterways, vegetation clearing in non-rural areas and Koala habitat. In this instance, Chapter 2 – Vegetation in Non-Rural Areas is applicable to this Application on the basis that it applies to all land within Zones RU5 Village and R2 Low Density Residential. As per the comments provided at Sections 4.1 and 4.2 of this revised SEE Report, the clearing of native vegetation is proposed as part of the Development Application and has been assessed in the revised BDAR accompanying the DA re-submission material. On this basis, no further consideration of Chapter 2 is required nor provided. Chapter 4 – Koala Habitat Protection 2021 applies to all non-rural land within the Bega Valley Shire Local Government Area (LGA) and properties comprising an area greater than 1 hectare. As detailed in the revised BDAR, Koala was not recorded in the survey area. Known ‘Koala use tree’ species were common in the survey area, being Yellow Stringybark, Silvertop Ash, Grey Box and Monkey Gum. However, no indications of Koala activity were detected during site surveys, and there are no recent (< 18 year old) records of Koalas within 2.5 km of the Study Area. Based on these findings, Koalas are not considered to occur within the subject land, and it is very unlikely it occurs in the locality and study area. SEPP (Exempt and Complying Development Codes) 2008 This Policy provides for a State-wide approach to enabling certain types of specified development to be undertaken without the need for Council approval as either Exempt Development or Complying Development provided land use specific development standards are met. In this instance, the exempt and complying development provisions of the SEPP cannot be applied due to the nature and scale of the revised development proposal. On this basis, the development proposed is subject to the development assessment and approval process as prescribed by the provisions of the EP&A Act as detailed in the current Application. SEPP (Planning Systems) 2021 This Policy provides the legislative planning framework for State and regionally significant development. Chapter 2 and Schedule 6 as they relate to regionally significant development are applicable to the revised development proposal as it meets the following definition for regionally significant development: a) Development with an estimated development cost (EDC) of \$30 million b) Development with a EDC over \$5 million, which is: - council related - lodged by or on behalf of the Crown (State of NSW) - private infrastructure or community facilities, - eco-tourist facilities c) Extractive industries, waste facilities and marinas that are designated development d) Certain coastal subdivisions e) Development with a EDC between \$10 million and \$30 million, which is referred to the Planning Panel by the applicant after 120 days.	

In accordance with NSW Planning Circular PS 21-020 (issued 2 December 2021), when calculating the EDC for a concept DA, the EDC of any subsequent DAs comprising the concept proposal must be considered in determining the EDC.

As detailed at **Section 1.3** of this revised SEE Report, the development proposal is being lodged as a Concept Development Application in accordance with the provisions of Section 4.22 – Concept Development Applications of the EP&A Act. Specifically, the Application provides a Concept Master Plan that sets out the concept proposal for the development of the Wolumla Valley Estate Project Area (which will guide detailed proposals for the separate future stages) as well as the detailed proposal for the first stage of development, being Stage 1 (and its sub-stages).

Given the above, the EDC for the proposed Stage 1 development and conceptual subsequent stages for Wolumla Valley Estate (as revised) has been calculated by OCRE. With reference to the revised Opinion of Cost – Civil Works included with the DA re-submission material, the EDC exceeds \$30 million.

As the revised development proposal is defined as regionally significant development, the Southern Regional Planning Panel (**SRPP**) will remain the relevant determining authority for the current Application.

SEPP (Resilience and Hazards) 2021

This Policy contains planning provisions for land use planning within the coastal zone (consistent with the *Coastal Management Act 2016*) and for the management of hazardous and offensive development. It also provides a State-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

Chapter 4 – Remediation of Land is applicable to this Application on the basis that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

A Preliminary Site Investigation (**PSI**) was prepared by Lanterra Consulting Pty Ltd and was included with the original DA submission. The objective of the PSI was to assess the potential risk of contamination at the subject site based on the history of the site and its current setting and to assess whether the site is suitable for the intended use.

Through a review of the site history and visit to the site to assess its current condition, the following areas of environmental concern (**AECs**) were identified:

- AEC 1 – Fill Located in the Centre of the Site.
- AEC 2 – Out Houses.
- AEC 3 – Disturbed Soil in Northwest.
- AEC 4 – Former Quarry in East.
- AEC 5 – Rural Fure Service Depot.

Based on the history of the site and the results of the desktop investigation presented in the PSI, concentrations of contaminants of potential concern (**COPCs**) were either below the laboratory limit of reporting (**LOR**) or below the adopted health based criteria for low density residential use and ecological investigation levels (**EIL**) / ecological screening levels (**ESL**) values for urban residential and public open space. Therefore, the site is deemed to be suitable for the intended future residential, village and public open space uses.

While the site is considered suitable for the intended use, sampling only provides the condition of the soil at a specific point. Therefore, there is a possibility that localised contamination can exist in between sample points. On that basis, the PSI recommends an unexpected finds protocol (**UFP**) should be prepared by a suitably qualified environmental consultant to assist with the assessment and management of unexpected occurrences of contamination.

SEPP (Transport and Infrastructure) 2021

This Policy contains planning provisions for the delivery of infrastructure (such as hospitals, roads, railways, emergency services, water supply and electricity delivery), child-care centres, schools, TAFEs and universities, and for the protection of three corridors (being the North South Rail Line, South West Rail Link extension and Western Sydney Freight Line). It also provides the land use planning and assessment framework for development at Port Kembla, Port Botany and Port of Newcastle.

Chapter 2 – Infrastructure, Part 2.3 Development Controls, of the Policy is applicable to this Application as follows:

- Division 5 Electricity Transmission or Distribution is applicable on the basis that the revised development proposed includes the installation of electricity transmission/distribution infrastructure and the carrying out of development adjacent to existing electrical infrastructure. As such, it is expected that the current Application will be re-referred to the relevant electrical supply authority (being Essential Energy) inviting comments regarding the revised proposal.
- Division 17 Roads and Traffic – Section 2.122 and Schedule 3 of the Policy defines the types of ‘traffic generating development’ requiring referral to TfNSW.
As relevant to the revised development proposed, the following is deemed to be traffic generating:
 - Subdivision of land comprising 200 or more allotments where the subdivision includes the opening of a public road.In this instance, the revised Wolumla Valley Estate Concept Master Plan would be deemed to be traffic generating development on the basis that it proposes the staged creation of more than 200 allotments together with the opening of public roads. If, however, the first stage of development of Wolumla Valley Estate was to be considered in isolation, it would not be deemed to be traffic generating as it proposes the construction of less than 200 allotments (as detailed at **Section 3** of this revised SEE Report). Notwithstanding, it is expected that the current Application will be re-referred to TfNSW inviting comments regarding the revised proposal.

It is noted that Sections 2.118, 2.119 and 2.120 of the Policy are not relevant to the development proposal as it is not located on, or with frontage to, a classified road, or involve land adjacent to a road with an annual average daily traffic (**AADT**) volume of more than 20,000 vehicles.
- Division 18 Sewerage Systems, Division 20 Stormwater Management Systems and Division 24 Water Supply Systems are also relevant to the revised development proposed as it includes the construction of sewage and water reticulation infrastructure as well as stormwater reticulation infrastructure and stormwater quality control systems (i.e., artificial wetlands and sediment ponds). On this basis, details are included in this current Application to enable BVSC (being the relevant public authority) to consent to the works as proposed.

4.5 Other Environmental Planning Instruments

4.5.1 Bega Valley Local Environmental Plan 2013

The following addresses the relevant provisions of the Bega Valley Local Environmental Plan 2013 (**BVLEP 2013**).

The land subject to the Wolumla Valley Estate Concept Master Plan is currently zoned R2 Low Density Residential, RU5 Village, C3 Environmental Management and C4 Environmental Living. Refer to the revised Land Zones Plan [Drawing No. 2109-P04ZN] prepared by OCRE.

Noting that the revised Wolumla Estate Concept Master Plan provides an assessment of the Concept Master Plan against the relevant provisions of the BVLEP 2013, the following assessment only relates to the Stage 1 development proposal.

Bega Valley Local Environmental Plan 2013	
The subject land is Zoned	Part RU5 Village and part R2 Low Density Residential Zone. Refer to revised Drawing No. 2109-P04ZN prepared by OCRE included with the DA re-submission material for a zoning overlay of the Wolumla Valley Estate Project Area.
The proposed development is defined as:	Subdivision of land for residential and village purposes
Is the proposed development permissible with consent?	☒ Yes ☐ No
Comments There are a number of specific provisions in the BVLEP 2013 that are relevant to the assessment of the revised Stage 1 development proposal. These are listed and commented on in Table 7 below. Overall, it is considered that there are no provisions in the BVLEP 2013 that would preclude the granting of development consent for the revised Stage 1 development proposal.	

Table 7: Assessment of the Relevant Provisions of the BVLEP 2013

Relevant Clause	Comment
Part 1 Preliminary	
☒ 1.2 Aims of the Plan	Comment. The revised development proposal is consistent with the Aims of the Plan. In particular – ▪ To ensure a balanced approach to development, which is sensitive to both the economic and social needs of the community. ▪ To protect and improve the economic, natural, social and cultural resources within the Council's area. ▪ To recognise, protect and improve the inherent natural and built character of the Council's area. ▪ To ensure that development has regard to the principles of ecologically sustainable development.
Part 2 Permitted or Prohibited	
☒ 2.3 Zone Objectives	Comment. The revised development proposal is not inconsistent with the objectives of the RU5 Village and R2 Low Density Residential Zones. In particular, the revised development proposed will – ▪ Provide for a range of land uses that will contribute to the Wolumla locality – i.e., through the provision of a dedicated and suitably located retail precinct as well as functional and accessible public open space.

Relevant Clause	Comment
	- Provide for the housing needs of the community through the provision of variably sized residential allotments, which will encourage diverse housing styles, sizes and tenures within a low-density residential environment. - Provide for a variety of housing types that are sympathetic to the detached character of Wolumla's built environment. - Provide for development whilst preserving natural assets.
☐ 2.4 Unzoned Land	☐ Yes ☐ No ☒ N/A
☐ 2.5 Additional permitted uses for particular land	☐ Yes ☐ No ☒ N/A
☒ 2.6 Subdivision	☒ Yes ☐ No ☐ N/A Comment. The current Application seeks to subdivide land in accordance with the provisions of the BVLEP 2013. The revised development proposal does not involve the subdivision of land on which a principal and secondary dwelling exist.
☒ 2.7 Demolition requires development consent	☒ Yes ☐ No ☐ N/A Comment. The revised development proposal includes the demolition of the cluster of old, detached farm buildings near to the Bega Street frontage. Consent is being sought from BVSC for the proposed demolition works.
☐ 2.8 Temporary use of land	☐ Yes ☐ No ☒ N/A
☐ 2.9 Canal estate development prohibited	☐ Yes ☐ No ☒ N/A
Part 4 Principal Development Standards	
☒ 4.1 Minimum subdivision lot size	☒ Yes ☐ No ☐ N/A Comment. Acceptable variation sought. The prescriptions of clause 4.1(3) of the BVLEP 2013 set the following minimum lot sizes as relevant to the subject land: 650m² for that part of the subject land within Zone R2 Low Density Residential. 1,000m² for that part of the subject land within Zone RU5 Village.

Relevant Clause	Comment
	As detailed at Section 3 of this revised SEE Report, the development proposed does not strictly comply with the prescribed minimum lot sizes. Subsequent to the outcomes of the Wolumla Flood Study, it is noted that Bega Valley Shire Council intends to prepare a re-zoning Planning Proposal that seeks to enable more subdivision within the sewered areas of Wolumla Village by reducing the minimum lot sizes in the RU5 Village and R2 Low Density Residential zones to 600m², and to enable up to 40% of allotments within a new residential subdivision to be smaller than the mapped minimum lot size, but no smaller than 350m². Noting that the Draft Planning Proposal has not yet been prepared, a revised Clause 4.6 Variation Report has been prepared to accompany the revised development proposal.
☐ 4.1AA Minimum subdivision lot size for community title schemes	☐ Yes ☐ No ☒ N/A
☐ 4.1A Minimum lot size for dual occupancies in Zones RU5 and R2	☐ Yes ☐ No ☒ N/A
☐ 4.1B Lot averaging subdivision in Zone R5, Zone C3 and Zone C4	☐ Yes ☐ No ☒ N/A
☐ 4.2 Rural subdivision	☐ Yes ☐ No ☒ N/A
☐ 4.2A Erection of dwelling houses and dual occupancies on land in certain rural, residential and conservation zones	☐ Yes ☐ No ☒ N/A
☐ 4.2B Exceptions to minimum lot sizes for certain rural subdivisions	☐ Yes ☐ No ☒ N/A
☐ 4.2C Erection of rural workers dwellings	☐ Yes ☐ No ☒ N/A
☐ 4.2D Erection of dual occupancies (detached) in RU1 and RU2 Zones	☐ Yes ☐ No ☒ N/A
☐ 4.2E Exceptions to minimum subdivision lot size for boundary adjustments	☐ Yes ☐ No ☒ N/A
☐ 4.2F Exceptions to minimum subdivision lot size for resulting lots	☐ Yes ☐ No ☒ N/A
☐ 4.3 Height of buildings	☐ Yes ☐ No ☒ N/A
☐ 4.4 Floor space ratio	☐ Yes ☐ No ☒ N/A
☐ 4.5 Calculation of floor space ratio	☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
☒ 4.6 Exceptions to development standards	☒ Yes ☐ No ☐ N/A Comment. As noted at clause 4.1 of the BVLEP 2013 above, the DA re-submission is supported by a revised Clause 4.6 Variation Report relating to the proposed variations to the minimum lot size development standard. As detailed in the revised Report, the proposed variations to Clause 4.1 of the BVLEP 2013 are deemed to be well-founded and appropriate given the circumstances of the case.
Part 5 Miscellaneous Provisions	
☐ 5.1 Relevant acquisition authority	☐ Yes ☐ No ☒ N/A
☐ 5.1A Development on land intended to be acquired for public purposes	☐ Yes ☐ No ☒ N/A
☐ 5.2 Classification and reclassification of public land	☐ Yes ☐ No ☒ N/A
☒ 5.3 Development near zone boundaries	☐ Yes ☐ No ☒ N/A Comment. The provisions of this clause are not relied upon to permit the development as proposed.
☐ 5.4 Controls relating to miscellaneous permissible uses	☐ Yes ☐ No ☒ N/A
☐ 5.5 Controls relating to secondary dwellings on land in a rural zone	☐ Yes ☐ No ☒ N/A
☐ 5.6 Architectural roof features	☐ Yes ☐ No ☒ N/A
☐ 5.7 Development below mean high watermark	☐ Yes ☐ No ☒ N/A
☐ 5.8 Conversion of fire alarms	☐ Yes ☐ No ☒ N/A
☐ 5.9 Dwelling house or secondary dwelling affected by natural disaster	☐ Yes ☐ No ☒ N/A
☒ 5.10 Heritage conservation	Is the property listed under the LEP? ☐ Yes ☒ No Heritage Conservation Area? ☐ Yes ☒ No Aboriginal Place of Significance? ☐ Yes ☒ No If yes, does it satisfy Objectives/requirements of the Clause? ☐ Yes ☐ No ☒ N/A Is the land in the vicinity of a heritage item/conservation area? ☒ Yes ☐ No

Relevant Clause	Comment
	If yes, is the proposal satisfactory having considered the heritage significance of the adjoining development ☒ Yes ☐ No ☐ N/A Comment. Non-Aboriginal Heritage The subject land is not listed on the State Heritage Register. The subject land is currently identified as adjoining a locally listed heritage item, being 'cottage on rise' (I683). It is also identified as being within proximity to the Wolumla Heritage Conservation Area as well as a number of other locally listed heritage items. The revised development proposal is deemed to be satisfactory based on the following: - It will have no impact on the curtilage or setting of existing locally listed heritage items, which is defined by their respective allotment boundaries. - The layout and geometry of the revised development proposal is deemed to be sufficient in enabling future development to be suitably separated from adjoining and adjacent heritage items so as to retain their curtilage and setting and prominence in the streetscape. This is achieved via the provision of allotments that comprise compliant minimum lot sizes where they adjoin or are adjacent to Candelo Wolumla Road, Scott Street and/or existing developed village lots. - The Wolumla Heritage Conservation Area is noted to be separated from the subject land by intervening development and roadways. - Future development of the proposed vacant allotments that adjoin or are within proximity to the listed heritage items and/or the Heritage Conservation Area, may require the preparation and lodgement of a Development Application with BVSC demonstrating compliance with the built form development controls of Part 5.2 of the BVDCP. Given the above, the revised development proposal is unlikely to have any impact on local historical significance. Aboriginal Heritage Refer to the ACHAR prepared by On Site Cultural Heritage Management Pty Ltd, which was included with the original DA submission. The outcomes of that ACHAR remain relevant to the revised development proposal.
☐ 5.11 Bush fire hazard reduction	☐ Yes ☐ No ☒ N/A
☐ 5.12 Infrastructure development and use of existing buildings of the Crown	☐ Yes ☐ No ☒ N/A
☐ 5.13 Eco-tourist facilities	☐ Yes ☐ No ☒ N/A
☐ 5.14 Siding Spring Observatory – maintaining dark sky	☐ Yes ☐ No ☒ N/A

Relevant Clause	Comment
☐ 5.15 Defence communications facility	☐ Yes ☐ No ☒ N/A
☐ 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	☐ Yes ☐ No ☒ N/A
☐ 5.17 Artificial waterbodies in environmentally sensitive areas and in areas of operation of irrigation corporations	☐ Yes ☐ No ☒ N/A
☐ 5.18 Intensive livestock agriculture	☐ Yes ☐ No ☒ N/A
☐ 5.19 Pond based, tank-based and oyster aquaculture	☐ Yes ☐ No ☒ N/A
☐ 5.20 Standards that cannot be used to refuse consent – playing and performing music	☐ Yes ☐ No ☒ N/A
☒ 5.21 Flood planning	☐ Yes ☒ No ☐ N/A Comment. The land that is the subject of the current Application is not mapped as being flood prone.
☐ 5.22 Special flood considerations	☐ Yes ☐ No ☒ N/A
☐ 5.23 Public bushland	☐ Yes ☐ No ☒ N/A
☐ 5.24 Farm stay accommodation	☐ Yes ☐ No ☒ N/A
☐ 5.25 Farm gate premises	☐ Yes ☐ No ☒ N/A
Part 6 Additional Local Provisions	
☐ 6.1 Acid sulfate soils	Will the proposed development disturb, expose or drain acid sulphate soils and resulting in environmental damage? ☐ Yes ☐ No ☒ N/A
☒ 6.2 Earthworks	Will the proposed development have detrimental effects resulting from extensive site excavations? ☐ Yes ☒ No ☐ N/A Comment. As detailed at Section 3 of this revised SEE Report, the extent of the revised earthworks program is not insignificant and as such, has the potential to adversely impact on environmental values if not appropriately addressed. Subject to appropriate soil and water management control being implemented prior to site works commencing and maintained during construction and site rehabilitation, any potential impacts would be manageable. On this basis, the objectives of clause 6.1 of the BVLEP 2013 would not be compromised. Further, it is expected that all earthworks would be undertaken in accordance with conditions imposed on any subsequent development consent and that the conditions are likely to reference Council's Development

Relevant Clause	Comment
	Design Specification D7 – Erosion Control and Stormwater Management as well as the NSW Government and Landcom publication entitled 'Managing Urban Stormwater Soils and Construction Volume 1 – 4 th Edition 2004'
☐ 6.4 Coastal risk planning	Will the proposed development be impacted on or contribute to coastal risks? ☐ Yes ☐ No ☒ N/A
☒ 6.5 Terrestrial biodiversity	Is the proposal likely to have an adverse impact on: Flora and fauna ☐ Yes ☒ No ☐ N/A Habitat and survival of native fauna ☐ Yes ☒ No ☐ N/A Potential to fragment, disturb or diminish biodiversity structure, function and composition ☐ Yes ☒ No ☐ N/A Connectivity ☐ Yes ☒ No ☐ N/A Appropriate measures have been proposed to avoid, minimise or mitigate the impacts of development ☒ Yes ☐ No ☐ N/A The development has been designed, sited and will be managed to avoid, minimise, or manage any significant adverse environmental impacts ☒ Yes ☐ No ☐ N/A Comment. Refer to the comments at Sections 4.1 and 4.2 of this revised SEE Report as well as the revised BDAR prepared by Local Environmental Solutions included with the DA re-submission material.
☒ 6.6 Riparian land and watercourses	Is the proposal likely to have an adverse impact on: Water quality and flows ☐ Yes ☒ No ☐ N/A Aquatic and riparian species, habitat and ecosystems ☐ Yes ☒ No ☐ N/A Stability of the bed and banks of the water course ☐ Yes ☒ No ☐ N/A Free passage of fish and other aquatic organisms within or along the watercourse ☐ Yes ☒ No ☐ N/A Any future rehabilitation of the watercourse and riparian areas ☐ Yes ☒ No ☐ N/A Appropriate measures have been proposed to avoid, minimise or mitigate the impacts of the development ☒ Yes ☐ No ☐ N/A

Relevant Clause	Comment
	The development has been designed, sited and will be managed to avoid, minimise or manage any significant adverse environmental impact ☒ Yes ☐ No ☐ N/A Comment. Refer to the comments at Sections 4.1 and 4.2 of this revised SEE Report as well as the revised BDAR prepared by Local Environmental Solutions included with the DA re-submission material. Refer also to the comments responding to the WM Act at Section 4.3 of this revised SEE Report.
☒ 6.7 Environmentally sensitive land	Is the proposal likely to have an adverse impact on: Any land with a slope greater than 25% ☐ Yes ☒ No ☐ N/A Any land that is subject to high erosion potential ☐ Yes ☒ No ☐ N/A Any land with a high proportion of rock outcropping ☐ Yes ☒ No ☐ N/A Comment. The land the subject of this revised development proposal does not comprise land that is mapped as being environmentally sensitive.
☐ 6.8 Airspace operations	Will the proposed development penetrate the Limitation or Operational Surface of the Merimbula Airport? ☐ Yes ☐ No ☒ N/A
☐ 6.9 Development at Kalaru Racecourse	Is the dwelling house to be erected on a neighbourhood lot? ☐ Yes ☐ No ☒ N/A Has development consent been granted for a stabling complex on the land? ☐ Yes ☐ No ☒ N/A Has the stabling complex been completed or will be completed before the dwelling house is occupied. ☐ Yes ☐ No ☒ N/A
☐ 6.10 Development of certain land at Sapphire Coast Drive and Tura Beach Drive, Tura Beach	☐ Yes ☐ No ☒ N/A
☐ 6.11 Residential accommodation as part of mixed use development in Zones E1 and E2	☐ Yes ☐ No ☒ N/A
☐ 6.12 Development in areas subject to aircraft noise	☐ Yes ☐ No ☒ N/A
☐ 6.13 Exception to minimum lot sizes in Zone RU5	☐ Yes ☐ No ☒ N/A Comment. Clause 6.13 excludes land in Wolumla.

Relevant Clause	Comment
☐ 6.14 Multi-dwelling housing in Zone RU5	☐ Yes ☐ No ☒ N/A Comment. Clause 6.14 excludes land in Wolumla.
☐ 6.15 Exception to minimum lot sizes for certain land in Zone RU5	☐ Yes ☐ No ☒ N/A Comment. Clause 6.15 excludes land in Wolumla.
☐ 6.16 Multi-dwelling housing in Zone R2	☐ Yes ☐ No ☒ N/A Comment. Clause 6.16 excludes land in Wolumla.
☐ 6.17 Exceptions to minimum lot sizes for certain residential development	☐ Yes ☐ No ☒ N/A Comment. Clause 6.17 excludes land in Wolumla.
☐ 6.18 Landscaped areas in Zones RU5, R2 and R3	☐ Yes ☐ No ☒ N/A Comment. Not relevant on the basis that the revised development proposal is for the subdivision of land only.
☐ 6.19 Diverse Housing	☐ Yes ☐ No ☒ N/A
☐ 6.20 Adaptable Housing	☐ Yes ☐ No ☒ N/A

4.6 Draft Environmental Planning Instruments

Are there any Draft Environmental Planning Instruments relevant to the proposed development? ☐ Yes ☒ No

4.7 Provisions of Development Control Plans

The Bega Valley Development Control Plan 2013 (**BVDCP**) supplements the BVLEP 2013 by providing detailed reasoning, guidelines, controls and general information relating to the decision-making process. Together, these documents form the land use planning and development controls for the Bega Valley Shire LGA.

The following assessment only relates to the revised Stage 1 development proposal.

Provisions of Development Control Plans	
Part 2 Commercial and Industrial Development	☐ Yes ☒ No
Part 3 Residential Development	☐ Yes ☒ No
Part 4 Rural Development	☐ Yes ☒ No
Part 5 General Development	☒ Yes ☐ No
Part 6 Engineering Requirements	☒ Yes ☐ No
Part 7 Specific Requirements	☒ Yes ☐ No

Table 8: Assessment of the Relevant Provisions of the BVDCP 2013

Relevant Section	Response
PART 5 – GENERAL DEVELOPMENT	
5.1 Aboriginal Heritage	
5.1.1 Application requirements	
Where a development will disturb the ground surface and/or may impact on Aboriginal cultural or spiritual values, the development application must demonstrate that a Due Diligence assessment has been undertaken by the applicant or a suitably qualified person. This includes (but is not limited to) submitting the following documentation in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW: ▪ A statement and results of a basic 200m AHIMS search. Where a site is identified within 200m of the development site the results of an extensive AHIMS search are required. ▪ A statement identifying whether the development site is partially or wholly within the area identified as having a high probability of Aboriginal cultural heritage values on the Aboriginal Cultural Heritage Landscape Map (see Figure 5.1b). ▪ A statement indicating whether there are landscape features that indicate the potential presence of Aboriginal objects. Landscape features include foreshore areas, creek lines, rocky areas, wetlands, ridge tops, ridgelines, headlands, sand dunes and caves. Figure 5.1a illustrates several landscape features where there is potential for Aboriginal sites to occur. ▪ A statement indicating if previous Aboriginal Cultural Heritage studies have been undertaken on the subject land. ▪ A statement indicating if the development site is within a declared Aboriginal Place of Significance as listed in Schedule 5 of the Bega Valley Local Environmental Plan 2013.	Deemed to comply. With reference to the comments in relation to the NPW Act at Section 4.3 of this revised SEE Report as well as the conclusions and recommendations of the ACHAR, the revised development proposal is considered to comply with the requirements of this Part of the BVDCP.

Relevant Section	Response
5.2 Non Aboriginal Heritage	Relevant, but generally not applicable. The subject land is not listed on the State Heritage Register. As detailed previously, the subject land is currently identified as adjoining a locally listed heritage item, being 'cottage on rise' (I683). It is also identified as being within proximity to the Wolumla Heritage Conservation Area as well as a number of other locally listed heritage items. Given the above, Part 5.2 of the BVDCP is relevant to the revised development proposal. It is noted that the majority of the development controls at Part 5.2 of the BVDCP relate to building alterations and the construction of a new building/s on land that is identified as being within, or within proximity to, a heritage conservation area; or comprising, or within proximity to, a locally listed heritage item. As the revised development proposal is for the subdivision of the land and associated civil construction works, Part 5.2 of the BVDCP is largely not applicable. Notwithstanding, the revised development proposal is deemed to be consistent with the objectives of Part 5.2 of the BVDCP based on the following: ▪ The development proposal will have no impact on the curtilage or setting of existing locally listed heritage items, which is defined by their respective allotment boundaries. ▪ The layout and geometry of the revised development proposal is deemed to be sufficient in enabling future development to be suitably separated from adjoining and adjacent heritage items so as to retain their curtilage and setting and prominence in the streetscape. This is achieved via the provision of allotments that comprise compliant minimum lot sizes where they adjoin or are adjacent to Candelo Wolumla Road, Scott Street and/or existing developed village lots. ▪ The Wolumla Heritage Conservation Area is separated from the subject land by intervening development and roadways. ▪ Future development of the proposed vacant allotments that adjoin or are within proximity to the listed heritage items and/or the Heritage Conservation Area, may require the preparation and lodgement of a Development Application with BVSC demonstrating compliance with the built form development controls of Part 5.2 of the BVDCP. Given the above, the development proposal is unlikely to have any impact on local historical significance.

Relevant Section	Response
5.3 Access and Mobility	
5.3.1 Access and Mobility Impact Assessment	
The Commonwealth Disability Discrimination Act 1992 and accompanying Disability (Access to Premises-Building) Standards 2010 set out the requirements for equitable access to buildings, facilities and services in Australia. - When assessing development applications Council requires compliance with Australian Standards 1428 - Design for Access and Mobility (Parts 1 and 2) and the intent and implications of the Disability Discrimination Act 1992, as well as the relevant requirements of this plan. - Supporting documentation concerning the impacts on access and mobility may be required by Council in the form of an Access and Mobility Assessment lodged with the development application. In some cases a formal assessment by a suitably qualified person in relation to access and mobility assessment and compliance with the Disability Discrimination Act 1992 will be required. - Council may refer specific public space development applications to its Access Advisory Committee for comment.	Deemed to comply. The revised development proposal has duly considered accessibility and incorporates the following designed in accordance with the applicable standards: - Accessible parking within indented bays adjacent to the main public open space areas, being the nature play and lower floodway areas. The accessible parking bays are linked to the open space areas by accessible pathways. - Accessible shelter with suitably designed table/seating located within the lower floodway public open space area. - Accessible toilet located within nature play / public open space area.
5.4 Social and Economic Impacts	
5.4.1 Social and Economic Impact Assessment	
- In order to assess the impact of certain developments on the community a statement of the social and economic impacts of the development, known as a socio-economic impact assessment, will be provided with the development application for applicable development types. - The objectives of requiring a Socio-Economic Impact Assessment are to ensure that: - The amenity created by services and facilities is preserved. - A liveable and sustainable community is achieved by considering both environmental and economic issues. - The views of the people most affected are taken into account. - Effective community/local government participation is promoted. - Positive and negative impacts are identified early so as to allow the proper consideration of proposed developments. - Determine and assess possible measures for the management or mitigation of likely impacts.	Deemed to comply. The potential social and economic impacts arising from the revised development proposal include: - Potential disruption to existing amenity, access and surrounds for nearby residents and workers during future construction, which will require mitigation through the implementation of an appropriate construction management plan/s. - Significant change in surroundings resulting from the future development of land that has long been used for agricultural pursuits. - Increased employment opportunities associated with the future construction works and operation of the retail precinct. - Future potential impacts on locally listed heritage items and the Wolumla Heritage Conservation Area, which will need to be managed in line with relevant guidelines. - Increased amenity and aesthetic value upon future completion of the development of Wolumla Estate through landscape and public open space improvements. - Increased passive surveillance from future development, which may lower the risk of antisocial behaviour.

Relevant Section	Response
- The impacts on amenity are equitably distributed in the community. - The applicant can present the anticipated effects of the development in a detailed and balanced form for Council consideration, showing how it will meet Council's Social Plan and other relevant planning instruments and policies. - Impacts that are acceptable to the community can be identified.	▪ Contribute to the local and regional housing market by providing some surety in land and housing availability and affordable choice in a much sought-after setting. ▪ Investment in development that would ensure that urban change creates amenity, diversity and sustainability. ▪ Flow-on economic benefits associated with the future resident population and the activity it would generate for existing businesses with the Wolumla civic core and Bega Valley region.
5.5 Sustainable Design Principles	
5.5.1 Sustainable Design Requirements	
▪ All development is encouraged to achieve best practice in addressing SDPs from the design stage through to construction and operation. ▪ A Sustainable Design Management Plan (SDMP) is required for the following developments: commercial development greater than 1,500m², development of 4 or more storeys, residential subdivision for 5 or more allotments and developments of 10 or more dwellings (including units). ▪ The principles of sustainable design are outlined in Table 5.1.	Deemed to comply. Refer to the Sustainable Design Management Plan (SDMP) included at Attachment 1.
5.6 Tree and Vegetation Preservation	Not relevant. The revised development proposal requires development consent. As such, the vegetation clearing associated with the development proposal will be considered as part of Council's assessment of the current Application.
5.7 On-site Sewerage Management	Not relevant. No new system of on-site effluent management is proposed as part of this current Application.
5.8 Planning for Hazards	
5.8.1 Flood Planning	Not relevant. The land that is the subject of this current Application is not mapped as being flood prone.
5.8.2 Coastal hazards	Not relevant. The subject land is not located within the coastal zone.

Relevant Section	Response
5.8.3 Contaminated land	
5.8.3.1 Requirements - Development will only be approved on land where Council has made an assessment of any land contamination that may have resulted from a previous use. - Where contamination is identified, remediation will be undertaken in accordance with the Managing Land Contamination Planning Guidelines, SEPP55 – Remediation of Land and the Contaminated Land Management Act 1997 and a Verification Report provided to Council.	Deemed to comply. Refer to the comments at Section 4.4 of this revised SEE Report in relation to Chapter 4 – Remediation of Land of SEPP (Resilience and Hazards) 2021.
5.8.4 Bushfire Prone Land	
5.8.4.1 Requirements - Consent will not be granted to the subdivision of land or the erection of a building on land which is subject to bushfire hazards unless Council is satisfied that the requirements of NSW Rural Fire Service’s Planning for Bushfire Protection 2006 and the provisions of the Building Code of Australia AS3959 Construction of Buildings in Bushfire Prone Areas have been addressed. - Additional requirements for asset protection zones are outlined in Section 5.10.1.4.	Deemed to comply. Refer to the comments at Section 4.3 of this revised SEE Report in relation to the <i>Rural Fires Act 1997</i> .
5.8.5 Climate Change	
5.8.5.1 Guidelines Council recognises the likely impacts of climate change including; increased hot days, increased severe weather, more extreme droughts and floods and storm surges. Council is not yet in a position to determine what land may be impacted by sea level rise, coastal processes, flooding and rising water table, or impacts of higher temperatures, possibility of bushfire events. Until the required investigations and studies are completed, this Plan recommends that people building new homes in any low lying area near the coast or a waterway, or in the more remote and vegetated areas should exercise caution and discretion in commissioning designs for new homes and design and construct development to ensure environmentally sustainable buildings that can more easily cope with climate change over time. In some locations as knowledge is improved, climate change impacts may require mandatory controls to be applied. The introduction of the carbon tax and a growing awareness of gasses that impact on climate change will increase the costs of carbon rich goods and services, particularly the cost energy from non-renewable resources and new building materials. This plan includes requirements and guidelines to enable small scale renewable energy generation and reduce energy consumption as well as encourage the reuse of building materials.	Deemed to comply. The location of the subject land limits its possible exposure to future climate-related risks.

Relevant Section	Response
5.9 Off-Street Car and Bicycle Parking	Relevant, but generally not applicable. Part 5.3 of the BVDCP is not relevant to the revised development proposal, which is for the subdivision of land inclusive of the delivery of outdoor public recreation areas/facilities. Whilst there are no minimum car parking requirements for the outdoor public recreation areas/facilities, two (2) accessible on-street parking spaces are proposed to be provided within suitably located indented parking bays adjacent to the nature play and lower floodway public open space areas. As detailed at Section 3.2.2 of this revised SEE Report, on-street parking is available within the proposed road network, which will suitably cater to the parking demand expected to be generated by the development proposal. In relation to resident parking, the proposed allotment configurations and their relationship to the proposed internal road network will ensure that they are capable of being developed for residential purposes with compliant provisions for access and on-site parking. NOTE: any car parking shown in relation to the Retail Precinct is conceptual only and would be subject to a future DA proposing the development of the land. As part of that future DA, the minimum number of off-street car parking spaces would be calculated based on the extent of the proposed land use in accordance with the provisions of Part 5.9 of the BVDCP.
5.10 Subdivision Standards	
5.10.1 General Requirements	
5.10.1.1 Access and Servicing - Minimum development standards for subdivision requiring development consent are contained in Clauses 4.1, 4.1A-C, 4.2, 4.2A-B of the LEP, including the Lot Size Map. - Each lot in every subdivision must be provided with an appropriate standard of legal and practical vehicular access and access to an appropriate standard of public utility services and drainage as set out in this plan. - Legal access will extend between each lot and a Council controlled public road or State Highway. Legal access may include Council public roads, rights of carriageway, rights of access, easements for access or some combination of these. - Council will only allow the creation of lot(s) relying upon private roads for access where it is demonstrated that the lot(s) enjoy a legal right to use those roads in perpetuity. - Direct access to a classified road is not permitted where access is practicable via an alternative road. - Practical access to each lot must be wholly contained within the legal access.	Deemed to comply. As detailed at Sections 3.2.2 and 3.2.3 of this revised SEE Report, all of the proposed allotments are provided with an appropriate standard of legal and practical vehicular access and access to an appropriate standard of public utility services and drainage. Direct access to a classified road is not proposed.

Relevant Section	Response
5.10.1.2 Subdivisions Across Zone Boundaries ▪ In general it is preferred that new allotment boundaries be designed to follow the zone boundaries resulting in lots that are contained within only one zone. ▪ In some circumstances it may be appropriate to create allotments that contain land in more than one zone. Where allotments are created containing land in more than one zone the proposal must be assessed against the development standards and objectives applying to each zone and Council must be satisfied that the intended use of the resulting allotments conforms to the requirements of the LEP and all other relevant provisions of this plan.	Deemed to be satisfactory. With reference to the revised Land Zones Plan [Drawing No. 2109-P04ZN] prepared by OCRE, proposed Lots 1, 37, 38, MU Lot 153, MU Lot 154 and Lot 161 (Retail) are identified as having split land use zones, being part RU5 Village Zone and part R2 Low Density Residential Zone. The remainder of the Stage 1 Project Area is zoned R2 Low Density Residential. In this instance, the proposed geometry of MU Lot 153, MU Lot 154 and Lot 161 (Retail) are satisfactory as they each have site areas that either comply with or exceed the minimum size prescribed by the BVLEP 2013. Specifically – ▪ Proposed MU Lot 153 and MU Lot 154 have site areas exceeding 2,000m², which is suitable for the intended multi-dwelling housing use. ▪ Proposed Lot 161 has a site area of 7,397m², which is suitable for the intended neighbourhood commercial use/s. In relation to proposed Lots 1, 37 and 38, they are proposed to be 650m², 456m² and 4580m² respectively, which does not strictly conform to the current relevant minimum subdivision lot sizes, being 1,000m² for land zoned RU5 Village and 650m² for land zoned R2 Low Density Residential. As detailed in the revised Clause 4.6 Variation Report included with the DA re-submission material, proposed Lots 1, 37 and 38 are deemed to be appropriate for the intended low density residential use. As required, the split zonings can be rectified as part of a future Re-Zoning Planning Proposal.
5.10.1.3 Public Reserve Dedications ▪ Early consultation with Council is encouraged in the planning of subdivisions involving public reserve dedications, so that the reserve areas provide benefit to the occupants of the subdivision and the community in general. Council will not accept the dedication of land that does not provide significant benefit to the subdivision and the community. ▪ The requirement for public reserve dedications will be specified in the conditions of the development consent relating to the proposed subdivision.	Deemed to comply. The proposed public open space areas are proposed to be dedicated to BVSC as outlined in the revised Letter of Offer included with the DA submission. Overall, the proposed public open spaces will act as a focal point for community gathering and activities and are designed to ensure adaptability and flexibility of use and function. The drainage corridors and stormwater management devices (constructed wetlands) have been integrated into the public open space network and will enhance the overall landscape setting of Wolumla Valley Estate and become a major landscape component for Wolumla village through visual and pedestrian linkages. It is noted that should Council accept the dedication, details would be specified in the conditions of the development consent as well as within any future endorsed Voluntary Planning Agreement.

Relevant Section	Response
5.10.1.4 Hazards ▪ The design of subdivisions must take account of environmental hazards such as flooding, bushfire protection, coastal hazards, dunal migration, steep slopes, and soil erosion potential for landslip and site contamination. Refer to Section 5.8 for additional information. ▪ The state government publication “Planning for Bushfire Protection” must be consulted in regard to site suitability and appropriate protection measures. ▪ All proposed bushfire Asset Protection Zones must be achieved within the property to be subdivided and be incorporated into affected lots. Asset Protection Zones may not be accepted on neighbouring properties, existing Council Reserves, other public lands or in reserves proposed to be dedicated through the subdivision ▪ In assessing subdivision proposals, it may be necessary for applicants to provide Council with technical reports from suitably qualified professional persons addressing site hazards. These reports will be prepared at the cost of the developer.	Deemed to comply. As detailed at Part 5.8.5 of the BVDCP above, the design and location of the revised development proposal has been well considered so as to ensure that it integrates with the environmental setting of the subject land and to reduce its possible exposure to future climate-related risks. Refer also to the comments at Section 4.3 of this revised SEE Report in relation to the <i>Rural Fires Act 1997</i> and Planning for Bushfire Protection 2019.
5.10.1.5 Threatened Species, Significant and Endangered Ecological Communities ▪ Subdivisions must be designed to avoid impacts on threatened species, significant and endangered ecological communities and their habitats. ▪ Council may require an applicant for subdivision to submit a report from a suitably qualified consultant where the initial assessment of a development application does not allow Council to be confident that the proposal is not likely to have an adverse impact on threatened species, significant and endangered ecological communities and their habitats. This will generally apply to lots proposed in E zones or areas included in the Natural Resource – Biodiversity or Water and Wetlands Maps of the LEP. ▪ Where there is insufficient information available to Council to justify a conclusion that a development will not have a significant impact, the precautionary principle requires that Council not grant consent to that development. ▪ All costs in the preparation of site assessments in regard to threatened species, significant and Endangered Ecological Communities and their habitats will be borne by the proponents of the developments.	Deemed to comply. Refer to the comments at Sections 4.1 and 4.2 of this revised SEE Report.
5.10.1.6 Riparian Areas, Estuaries and Wetlands ▪ The NSW Office of Water provides for the protection and/or estimation of individual water courses and their vegetated buffer zones based on watercourse order as classified under the Strahler System. The riparian areas of the Shire have been described and mapped into three categories of protection with Core Riparian Zone widths from 10 to 40m from the top of the bank according to their relative importance within the catchment.	Deemed to comply. With reference to the Stormwater – Stream Classification Drawings prepared by OCRE, the subject land contains a number of unnamed, mapped hydrolines / watercourses (Strahler System 1st order and 2nd order), which ‘flow’ towards Frogs Hollow Creek (Strahler System 3rd order) located approximately 200m west of the subject site.

Relevant Section	Response
- Applications for subdivisions adjoining riparian areas will identify the appropriate Core Riparian Zone and vegetated buffer along the water course and may be required to carry out rehabilitation works such as erosion control, fencing and planting necessary to meet objectives of the buffer. The Southern Rivers Catchment Management Authority may provide advice to Council on subdivision applications adjoining riparian areas. - Where wetlands are attached to the main waterway they are considered to be part of the waterway and appropriate riparian buffers will be extended from the edge of the wetland. Buffers to disconnected wetlands will be treated on the merit of their relative importance in the catchment. - Subdivisions adjacent to or in the immediate catchment of an estuary and wetland need to ensure that the maintenance or enhancement of the ecological and hydrological health of the estuary and wetland is a primary consideration in planning and design of the subdivision. - Applications for urban subdivisions adjoining estuarine areas may require accompanying stormwater modelling studies and may need to demonstrate a 'no net increase' in pollutants and limitations on volumetric runoff. - Bega Valley Shire has Estuary Management Plans for Wallaga Lake, Merimbula and Back Lakes, Lake Curalo, Wonboyn Lake and the Bega River. These documents must be referenced by applicants if the proposed subdivision falls within the immediate catchment of the estuary or wetland.	As stated in the Department of Planning and Environment Fact Sheet – Controlled activities – Guidelines for Riparian Corridors on Waterfront Land, where a watercourse does not exhibit the features of a defined channel with bed and banks, it may be determined that the watercourse is not waterfront land for the purposes of the WM Act. As can be discerned by the photographs included with the Stormwater – Stream Classification Drawings prepared by OCRE, the mapped hydrolines / watercourses do not exhibit the features of a defined channel with bed and banks. Rather, due to the long-term and persistent cattle grazing of the property, the hydrolines / watercourses are predominantly silted up, weedy, carry very little (if any) surface water and comprise minimal native riparian vegetation. On this basis, the mapped hydrolines / watercourses should not be determined to be waterfront land for the purposes of the WM Act. Given the degraded state of the mapped hydrolines / watercourses, they are proposed to be integrated into the landscape and open space outcomes for Wolumla Valley Estate – providing visual relief and landscape character to the future built environment. They are also proposed to form part of a broader WSUD approach for the Wolumla Valley Estate by encompassing water quality and on-site detention facilities via a series of constructed wetlands / chain of ponds. Importantly, the constructed wetlands / chain of ponds would support native flora and fauna – thereby creating important habitat and habitat connectivity, which does not currently exist on the site. The detailed engineering, landscape design and management regime for the constructed wetlands / chain of ponds would be provided as part of any subsequent Application for the issue of a Subdivision Works Certificate.
5.10.1.7 Weeds - Development consents for the subdivision of land affected by infestations of weeds proclaimed under the <i>Noxious Weeds Act 1993</i> will include conditions requiring action to be taken to control weeds to the satisfaction of Council as a condition of approval. - Owners of land affected by Noxious Weeds must consult with Council's Noxious Weeds Manager as part of the planning for any subdivision. Early attention to controlling weeds is recommended, as effective treatment of weeds can take significant time and may result in delays in the endorsement of Subdivision Certificates.	Deemed to comply. The subject land has not been found to be infested by weeds. Refer to the revised BDAR prepared by Local Environmental Solutions accompanying the DA re-submission material.
5.10.1.8 Energy Efficient Design Residential subdivisions will be designed to provide allotments that permit future housing to be designed to optimise solar orientation, generally so that living areas in houses can be oriented towards the north.	Deemed to comply. The revised development proposal has been designed to permit future housing to be designed to optimise solar orientation. Whilst a curvilinear road alignment has been designed so as to accommodate the natural topography of the land, the roads are generally aligned north-south and east-west, which will further assist with the provision of good solar access to future allotments.

Relevant Section	Response
- Residential lots will have their larger dimension oriented east-west, and their shorter dimension north-south, with due regard to the terrain. Lots on south facing slopes must be larger to improve opportunities for solar access. - The orientation of roads influences the potential to achieve good solar access to lots. It is preferable to align roads generally north-south or east-west, so that north-south roads are aligned within 20 degrees west and 30 degrees east of true north, and east-west roads are aligned within 20 degrees north and 30 degrees south of due east. - Urban subdivisions must generally be designed to minimise reliance on private motor vehicles and must make provision for public transport, pedestrian pathways and bicycle use.	The proposed movement network looks to maximise the use of active transport through the provision of an enjoyable and safe pedestrian pathway network and allowance for all future allotments to be within a 250m radius of a bus stop. For further details regarding the design response, refer to the revised Wolumla Valley Estate Concept Master Plan included with the DA re-submission.
5.10.1.9 Neighbourhood Design – Infill Development - Subdivisions of land in currently developed areas must take account of the pattern of surrounding development so that the resulting development is compatible with its surroundings. Consideration must be given to issues of privacy, overshadowing, potential noise impacts and servicing. - Subdivision and the development consequences arising from subdivision will not compromise the curtilage or setting of significant heritage places.	Not relevant. The development proposed is not considered to be ‘infill development’.
5.10.1.10 Neighbourhood Design – Greenfield Development - The design of urban release areas must provide for an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists. - Urban release areas will include a network of passive and active recreational areas.	Deemed to comply. A transport movement hierarchy has been prepared for the revised Wolumla Valley Estate Concept Master Plan and is presented on the revised Road Hierarchy Plan [Drawing No. 2109-P10RHP] prepared by OCRE. Overall, the movement network has been designed to respond to the natural topography and to facilitate logical movement systems that maximise the use of active transport through an enjoyable and safe pathway network. As detailed in the revised Wolumla Valley Concept Master Plan, Wolumla Valley Estate will comprise seven (7) key open space / recreation areas, being: - Playground (nature play area). - Open space – northern floodway. - Open space – lower floodway (on-site detention). - Open space – southern floodway. - Open space – dog park. - Open space – stormwater control facility POS 1. - Open space – passive open space. The main open space / recreation area, being that within the northern extent of Wolumla Valley Estate (points 1 – 4 above) are proposed to be delivered as part of the Stage 1 development proposal. Those areas will include a nature play space (playground), open turf spaces with scattered trees for informal

Relevant Section	Response
	gatherings and play, constructed wetlands, shared pathways, a court and pump track for junior to adult level activity as well as fixed shelters, tables, seating and BBQ and toilet amenities. Refer to Section 3.2.6 of this revised SEE Report as well as the revised Wolumla Valley Estate Concept Master Plan included with the DA re-submission material.
5.10.1.11 Neighbourhood Design – Integrating Small Lots ▪ For the purposes of this section, small lots are lots smaller than the mapped minimum lot size and narrow lots are lots with a width less than 15m. ▪ Narrow lots shall be located on north-south streets with the long axis running east-west to ensure optimum solar access. ▪ When it is necessary for small lots to be located with the long axis running north-south they shall be located on the south side of the block to ensure the private open space receives good solar access to the north. ▪ Small lots on south-facing land must nominate a building footprint that demonstrates adequate solar access for the lot and adjoining lots in mid winter (June 21). ▪ Small lots can be front loaded or rear loaded (from a laneway). ▪ Narrow lots shall be interspersed through larger lots to reduce the impact of driveways on streetscape. The maximum number of narrow lots in a cluster is six (in the same street) with a minimum 50m gap before the next cluster of narrow lots. ▪ Small lots between 350-450 sqm shall be located close to areas of high amenity such as open space, shops or public transport, where such services are available. ▪ Location of small lots in cul de sac bulbs is not acceptable. ▪ Services and easements are better located on larger lots.	Deemed to be satisfactory. As detailed at Section 4.5.1 of this revised SEE Report, small lots are not yet able to be contemplated for the subject land – noting that clauses 6.13 and 6.15 of the BVLEP 2013 do not currently apply to land at Wolumla. Notwithstanding, given that ‘small lots’ are currently proposed (as detailed at Section 3.2 of this revised SEE Report and in the revised Clause 4.6 Variation Report), an assessment against the provisions of Part 5.10.1.11 is deemed to be appropriate. Of the 136 residential allotments proposed, a total of 88 (or 64.71%) are proposed to be ‘small lots’, being those lots smaller than the 650m² minimum lot size for land within Zone R2 Low Density Residential. Of the 88 small lots proposed, a total of 25 are also noted to be ‘narrow lots’ having a proposed width of less than 15m. It is important to note that all of the small lots are proposed to range in size between 450m² – 649m² and have been oriented to so as to ensure that solar access is maximised. Of the small lots proposed, the following is noted in relation to orientation: ▪ 71.59% (or 63 allotments) are oriented with the long axis running east – west, being proposed Lots 48 – 53, 56 – 61, 69 – 74, 76 – 87, 90 – 99, 102 – 111 and 119 – 129. Of these east – west oriented allotments, proposed Lots 74, 102 – 104, 106 – 108, 110, 120, 123, 124 and 126 – 129 (or 16 allotments) are narrow lots. ▪ 28.41% (or 25 allotments) are oriented with the long axis running north – south, being proposed Lots 17 – 38, 115, 130, and 131. Of these north – south oriented allotments, proposed Lots 17 – 2, 26 – 28 and 33 (or 9 allotments) are narrow lots. The small lots on south facing land, being proposed Lots 17 – 38 and 115 (23 allotments) are deemed to be suitably sized and dimensioned to achieve adequate solar access. In addition to this, the allotments on south facing land do not directly align with the boundaries of the allotments adjoining to the north (i.e., they are staggered – similar to that presented at Proposed Figure 5.8 of the BVDCP). This ‘staggered’ arrangement will further ensure that adequate solar access is afforded to future dwellings on the south facing allotments. All of the proposed small lots are front loaded with direct access to/from a public road. Where possible, driveways for the proposed small lots have been paired or located to enable greater landscaping opportunity and to reduce the impact of kerb cuts on parking and streetscape character.

Relevant Section	Response
	With reference to Table 1 at Section 3.2 of this revised SEE Report as well as the revised Subdivision Plans (Drawing Nos. 2109-L05POS and L06POS) prepared by OCRE, there are no clusters of six narrow lots in any same street. All of the narrow lots have been suitably interspersed throughout the revised subdivision layout. All of the proposed small lots are located within proximity to areas of high amenity and are within a 250m radius of bus stop. All of the small lots are variably sized and dimensioned to reduce the impact of driveways on the streetscape. The majority of the proposed small lots are not required comprise service easements.
5.10.1.11 Subdivision Involving Buildings Where land containing buildings is subdivided, the subdivision must be designed so that the relationships between buildings and boundaries conform to all relevant provisions of the Building Code of Australia. Particular attention is required to setback distances from boundaries and fire resistance ratings of building elements within 3m of boundaries.	Not relevant. As detailed in the comments at clause 2.7 of the BVLEP 2013 above, the development proposal includes the demolition of the cluster of old, detached farm buildings near to the Bega Street frontage. As those buildings are intended to be demolished as part of the subdivision works, the subject land is deemed to be vacant for the purposes of this development control.
5.10.2 Specific Requirements – Development Type	
5.10.2.2 Residential, Village and Subdivisions - Subdivision must be designed to contain new structures and major infrastructure and any asset protection within cleared land. - Subdivision design must incorporate a range of lot sizes that reflect the diversity of residential land uses that are able to be undertaken in the zone. - Where multi dwelling housing and/or residential flat buildings are permitted in the zone, land subdivisions of 1ha or more will create larger development lots of no less than 2,000m² to cater for these land uses, with a theoretical yield of 1 dwelling per 200m². Development lots shall be: sited on land suitable for multi dwelling housing in relation to slope and sunlight access; provided with two-street access with feasible internal connectivity; and serviced with adequate electricity, telecommunications, water, sewerage and stormwater drainage infrastructure in accordance with the theoretical yield. - Subdivision development yields will respond to the site constraints, however, as a guide the densities detailed in Table 5.7 are desirable. Note: the provision of development lots may be necessary to achieve the target density for the zone. - New development lots created under this part will have a covenant placed on the title identifying the land as a development lot for the purposes of this part and restricting development on the land to multi dwelling housing or residential flat buildings as permitted in the zone.	Deemed to be satisfactory. The revised development proposal is deemed to be satisfactory in relation to the provisions of Part 5.10.2.2 of the BVDCP based on the following: - The revised subdivision layout maximises the use of existing cleared land. - The revised subdivision design incorporates a range of lot sizes that will encourage diverse housing styles, sizes and tenures – all of which having access to high amenity through public open space and movement networks. - The revised subdivision design provides variably sized residential allotments that permit future housing to be designed to optimise solar orientation. - The revised Stage 1 proposal incorporates five (5) multi-dwelling housing sites, being - MU Lot 151 – 2,252m² - MU Lot 152 – 2,142m² - MU Lot 153 – 2,021m² - MU Lot 154 – 2,111m² - MU Lot 155 – 2,021m² Based on the theoretical yield of 1 dwelling per 200m², the multi-dwelling housing sites have an upper theoretical yield of 52 dwellings.

Relevant Section	Response
▪ In any subdivision of a multiple dwelling development, each lot or strata dwelling lot must have suitable legal and practical access, separate water, sewerage, drainage, electricity and telecommunications services and car parking spaces. ▪ Battle axe lots must be designed to allow suitable separation between dwellings to provide reasonable residential amenity, privacy and solar access. ▪ Battle axe allotments are not generally desirable in R3 and SP3 zones as they are not suited to multi dwelling housing, residential flat development and tourist style development. Battle axe lots in these zones will only be accepted where the access corridor is suitable to become a road in a later subdivision (i.e. suitable width and gradient) or the subdivision forms part of the staging of such development over the whole site. ▪ Table 5.9 sets out minimum lot dimensions to locate infrastructure services so that the future development potential of the allotment is not unduly restricted. ▪ Each proposed lot in the R2, R3 and RU5 zones where possible should have sufficient dimensions and area to contain a building envelope with the long axis aligned within 20 degrees of east-west, while maintaining normal minimum building setbacks from all boundaries.	▪ Proposed Table 5.7 of the BVDCP nominates a target density of 15 dwellings per hectare for land within Zone R2 Low Density Residential and 10 dwellings per hectare for land within Zone RU5 Village. The Stage 1 Project Area has a total area of 18.54 hectares, of which 17.36 hectares is within Zone R2 Low Density Residential and 1.18 hectares is within Zone RU5 Village. For the purposes of this development control, the land within Zone RU5 Village has been discounted on the basis that 7,397m² (or 0.74 hectares) is proposed to be dedicated to the Retail Precinct (proposed Lot 161). The remaining 4,403m² (or 0.44 hectares) relates to part of proposed Lots MU 153, and MU 154 and residential Lots 1, 37 and 38, which have a split R2/RU5 zoning. As detailed previously, Stage 1 proposes the creation of 131 low density residential allotments and five (5) multi-dwelling housing sites with a theoretical yield of 52 dwellings. As such, the anticipated dwelling yield is 183, which equates to a density of about 10 dwellings per hectare (i.e., 183 / 18.54 = 9.87). Whilst the proposed density is less than the target density of 15 dwellings per hectare, the proposed density is deemed to be appropriate for the context of this site. ▪ Minimises the use of battle-axe allotments – i.e., of the 136 residential allotments proposed, only one (1) has a battle-axe configuration, being proposed MU Lot 151. Given its size (circa 2,250m²) it is deemed to be suitable in allowing for adequate separation between future dwellings so as to provide for reasonable amenity, privacy and solar access. ▪ In accordance with Table 5.6 of the BVDCP, proposed MU Lot 151 has a compliant minimum width of >20m at the main building line. ▪ As detailed at Table 1 at Section 3.2 of this revised SEE Report the majority of the proposed allotments have compliant lot dimensions as nominated at Proposed Table 5.9 of the BVDCP. The exceptions are detailed in the following points. ▪ The proposed small lots (between 350m² and 550m²) that have allotment widths less than the minimum required 12.6m include Lots 102 – 104, 106 – 108, 123, 124, 126 and 127 (451m²), which have a 12.5m width at the primary road frontage. The above represents a minor variation of only 0.1m to the minimum requirement. ▪ The proposed ‘other’ lots (>550m²) that have allotment widths less than the minimum required 15m, include: - Lot 17: 562m² with 12.5m width at the primary road frontage. - Lot 128: 564m² with 12.5m width at the primary road frontage. The above represents a minor variation of 2.5m to the minimum requirement. ▪ Irrespective of the above proposed minor variations, all of the proposed allotments are deemed to have sufficient dimensions and area to contain a building envelope oriented to

Relevant Section	Response
	maximise solar access whilst maintaining compliant minimum building setbacks from all boundaries.
5.11 Signage and Advertising	Not relevant. Signage is not proposed.
5.12 Tourist Accommodation and Caravan Parks	Not relevant. The revised development proposal is not for tourist accommodation and/or caravan parks.
PART 6 – ENGINEERING REQUIREMENTS	
6.1 Roads and Easements	
6.1.1 General Requirements	
- Road pavements will be designed to accommodate the predicted design traffic over a service life of not less than 25 years, taking into account the potential growth in traffic from the development of surrounding lands. - Council will not accept the transfer of existing Crown Public Roads from the state unless the road is constructed to Council's current standards. - Roads created and constructed in subdivisions will be dedicated to Council as public roads by notation on the plan of subdivision. - Roads will be designed to limit vehicle speeds generally by the use of a "self-enforcing" speed environment. All intersections must satisfy the sight distance criteria for the appropriate design speed environment, including Safe Intersection Sight Distance as specified in Austroads Guide to Road Design. - Road reserves will be of sufficient width to contain the whole road formation including cut and fill batters and any retaining structures. In residential subdivisions, cut and fill batters at slopes not exceeding 1 in 4 may extend into residential lots. - All incidental works such as guideposts, line marking, guard rails, street name signs, street lighting, revegetation of earthworks and public utility installations are included in the scope of works as part of the construction of roads in subdivision, even if not specifically nominated in development consent conditions. - Trees likely to be made unstable due to subdivision works and trees that may present a hazard to road users must be removed as part of the road construction works. - Subdivisions must be designed so that roads have a minimal impact on native vegetation. Waterway crossing must be built to comply with Department of Primary Industries' requirements.	Deemed to comply. Refer to the details provided at Section 3.2.2 of this revised SEE Report. Also refer to the revised Civil Engineering Drawings prepared by OCRE and the revised Traffic Engineering Report prepared by TTM included with the DA re-submission material.

Relevant Section	Response
▪ Splays may be required to be dedicated as public road at each road intersection within or adjoining any subdivision, to provide for optimum sight distances at intersections. ▪ All new public roads in subdivisions will be given an appropriate name with the name clearly stated on the subdivision plan. Proposed road names must be approved by Council prior to the endorsement of a Subdivision Certificate. ▪ All new rights of carriageways or rights of access servicing 3 or more allotments will be named as part of the subdivision and referred to as lanes in accordance with Council's road naming policy and its amendments. ▪ Street signs will be provided by the subdivider. ▪ Subdivision design must make allowance for public transport by bus in the design of the road layout. All roads that may serve as bus routes must form loops rather than dead ends. School bus routes are required to pass within 400m of all houses in residential subdivisions. Temporary cul-de-sacs on bus routes in staged residential estates will have a sufficient diameter to permit buses to turn without reversing. ▪ Applicants must consult with local bus operators in the initial planning of residential estates.	
6.1.2 Specific Requirements – Development Type	
6.1.2.3 Residential and Village Subdivisions ▪ The layout of new streets in residential subdivision developments must create a legible street layout which improves connectivity by utilising a grid-style pattern and minimise use of cul-de-sacs. ▪ Roads will be arranged in a logical hierarchy, which can be readily interpreted by drivers who are not familiar with the neighbourhood. ▪ Footpaths and shared pathways and associated nature strips must be of sufficient width and quality to allow safe and comfortable passage for people with wheelchairs, people with prams, learner cyclists and people walking comfortably side by side. ▪ Double and multiple battle axe entries will incorporate reciprocal easements for access and services. ▪ The maximum number of allotments that can be serviced by a right of access is 4 lots. Services for lots adjacent to Council roads must be serviced from the street rather than a battle axe driveway. ▪ Cul-de-sacs are to be avoided wherever possible but where necessary will incorporate a circular turning area with a minimum kerb radius of 12.5m to provide for waste and recycling collection trucks and other heavy vehicles.	Deemed to comply. Refer to the details provided at Section 3.2.2 of this revised SEE Report. Also refer to the revised Civil Engineering Drawings prepared by OCRE and the revised Traffic Engineering Report prepared by TTM included with the DA re-submission.

Relevant Section	Response
- Minimum road reserve widths in Residential, Village and Tourist zones are detailed in Table 6.2 - Any roadside tree planting will be at an offset of 1m from the road reserve boundary or an easement for plantation created on the allotments.	
6.2 Parking and Driveways	
6.2.1 General Requirements	
- Access to parking areas will be designed to minimise conflict between pedestrians, cyclists and traffic. Council may require road and traffic management works to ensure safe access to parking areas. Where developments front a busy road, access to rear lanes (if available) must be provided. - Driveways will be located to the street with the lowest traffic volume. In particular, driveways will not be located opposite a 'T' intersection or closer than 6m to an intersecting street as measured from the property boundary, but preferably 9m to an intersecting street as measured from the property boundary. - Parking areas and driveways are to be designed, surfaced and graded to reduce run off and allow stormwater to be controlled on site or disposed of to the Council controlled drainage system. - Driveway design will make provision for service vehicles where applicable.	Deemed to comply. Verge crossovers are proposed to be constructed by the eventual property owners. The crossovers will be constructed as a modified layback kerb, which is trafficable, and will be provided to all roads with direct access to the property frontages, so as to permit flexible driveway locations based on future dwelling design. Preferred Driveway locations are indicated in the revised Civil Engineering Drawings prepared by OCRE to illustrate the desirable location of the accesses.
6.3 Soil and Stormwater Management	
6.3.1 General Requirements	
- The development will incorporate the principles of water sensitive urban design. These include minimisation of impervious surfaces and provision for the collection, reuse and management of stormwater to reduce reliance on potable water and ensure that pre-development water quality is maintained or enhanced in post-development runoff. - The management of water must address cumulative environmental impacts and be carried out in accordance with the objectives of integrated water cycle management. - In order to minimise land degradation, water pollution and damage to infrastructure from accumulated sediment, development must be constructed in a manner which minimises erosion and sedimentation to current best practice. - Interallotment drainage systems will be designed and constructed to minimise the number of allotments using each easement so that maintenance responsibilities are as simple as possible. As a general rule, each interallotment drainage easement must serve no more than two allotments, except where no feasible alternative exists.	Deemed to comply. Refer to Sections 3.2.3.3 and 3.2.5 of this revised SEE Report as well as the revised Civil Engineering Drawings prepared by OCRE.

Relevant Section	Response
- Subdivisions will be designed so that stormwater flows for rainfall events of a 100 year average recurrence interval (ARI) and greater can pass without causing damage to property and infrastructure. Stormwater flows for events larger than the 5 year ARI for residential development and 10 years for commercial and industrial development are not required to be contained within piped drainage systems however the overflow path must be planned, clearly evident on the site and contained within suitable easements, public reserves and road reserves. - Subdivisions in zones R2, R3, RU5, B1, B2, B4, IN1, IN2, SP2 and SP3 will be designed and constructed to produce no net increase in peak stormwater flows downstream, generally through the use of on-site stormwater detention facilities, and re-use of stormwater on site. - The development of land within Wonboyn Village must achieve best practice soil and water management controls as detailed in the report: "Stormwater, Septic and Water Leachate Management Plan Wonboyn Lake" 4 April 2005. The report is available on request from Council.	
6.4 Utility Services	
6.4.1 General Requirements	
- Where land being subdivided is identified by Council as being within the Development Servicing Plan for Water Supply or identified by Council as being within the Development Servicing Plan for Sewerage all lots will be provided with access to these services. - The subdivider will provide the reticulation mains and all works necessary to enable these mains to operate, including reservoirs, trunk mains, pumping stations, telemetry systems and any associated works, all at no cost to Council. - Any existing water services and any existing internal sewer drainage lines are to be wholly within the boundaries of the allotment they are to serve. - Easements for services may be required to allow public utility services. - Electricity substations and telecommunications service multiplexers will be located within suitable easements and will not be located within public road reserves. - Where development other than subdivision requires sewerage or water supply works outside of normal connection to existing mains, Council will select the appropriate equivalent service requirements.	Deemed to comply. Refer to Section 3.2.3 of this revised SEE Report as well as the revised Civil Engineering Drawings prepared by OCRE.

Relevant Section	Response
6.4.2 Specific Requirements – Development Type	
6.4.2.2 Residential, Village and Tourist Subdivisions - Residential subdivisions will be serviced with telecommunications and underground electricity reticulation and street lighting, all at no cost to Council. - Overhead electricity reticulation is only acceptable for small scale infill subdivisions in areas serviced with existing overhead reticulation. - Street lighting will use only the basic standard poles and light fittings maintained by the local electricity authority.	Deemed to comply. Refer to Section 3.2.3 of this revised SEE Report as well as the revised Civil Engineering Drawings prepared by OCRE.
PART 7 – SITE SPECIFIC REQUIREMENTS	
7.8 Wolumla	
7.8.1 Master Plan	
The identified area requires the lodgement and approval of a masterplan prior to any future subdivision of this land. This masterplan must include a Traffic Impact Study and outline any future servicing requirements for each individual site numbered 1-3. Should a masterplan be prepared for an individual site, the masterplan shall take into consideration the cumulative impact on servicing arrangements and traffic from the other sites. The masterplan will need to be lodged and endorsed by Council prior to the lodgement of any subdivision application.	Deemed to comply. Refer to the revised Wolumla Valley Estate Concept Master Plan (prepared by Human Habitats and PLANNED) included with the DA re-submission material.
7.8.2 Traffic Impact Study	
The RTA Guide to Traffic Generating Developments outlines the key issues that may be considered in preparing a Traffic Impact Study. - Where road infrastructure upgrades are identified, strategic designs and costings must be developed and details of the proposed planning mechanism to fund and deliver the required road network upgrades provided. - Strategic designs for any identified road infrastructure should detail the scope of works and demonstrate that the works can be constructed within the road reserve.	Deemed to comply. Refer to the revised Traffic Engineering Report prepared by TTM included with the DA re-submission material.

4.8 Planning Agreements

Is the application and development of the land subject to a planning agreement (existing/proposed) ☒ Yes ☐ No

Planning Agreements

Comments.

Refer to the revised Letter of Offer (as drafted by PLANNED on behalf of the Proponent) included with the DA re-submission material.

4.9 The Regulations

Regulations

Does the proposed development involve demolition? ☒ Yes ☐ No

Does the proposed development involve the construction of a manor house or multi dwelling housing (terraces) ☐ Yes ☒ No

For development involving the rebuilding, alteration, enlargement or extension of an existing building, is it considered appropriate to require the upgrading of the existing building to ensure fire safety standards ☐ Yes ☐ No ☒ N/A

For the erection of a temporary structure will the fire protection and structural capacity be appropriate and will the surface on which the structure is to be erected suitable to sustain the structure while in use ☐ Yes ☐ No ☒ N/A

Comments.

The revised development proposal includes the demolition of existing buildings/structures.

Accordingly, the demolition process will need to be carried out strictly in accordance with the relevant Australian Standards (i.e., AS2601-2001) and current work health and safety legislation.

4.10 Coastal Zone Management Plan

Is the land subject to the application located within an adopted coastal zone management plan? ☐ Yes ☒ No

4.11 Likely Impacts of the Development

4.11.1 Environmental Impacts - Natural

Is this proposal satisfactory, having consideration to the impact on the environment in terms of:

Landforms ☒ Yes ☐ No ☐ N/A

Drainage/hydrology/watercourses ☒ Yes ☐ No ☐ N/A

Water quality	☒ Yes ☐ No ☐ N/A
Vegetation	☒ Yes ☐ No ☐ N/A
Erosion and sedimentation	☒ Yes ☐ No ☐ N/A
Marine environment	☒ Yes ☐ No ☐ N/A
Other	☐ Yes ☐ No ☒ N/A
Comments Landforms / Drainage / Hydrology and Watercourses Refer to Sections 3.1 – 3.3 of the revised Wolumla Valley Estate Concept Master Plan as well as the revised BDAR included with the DA re-submission material. Water Quality / Erosion and Sedimentation Refer to Sections 3.2.3.3 and 3.2.5 of this revised SEE Report as well as the relevant revised Engineering Concept Design Plans prepared by OCRE included with the DA re-submission material. Vegetation and Marine Environment Refer to the revised BDAR prepared by Local Environmental Solutions included with the DA re-submission material.	
Is the proposal satisfactory having regard to:	
Provision of landscaping	☒ Yes ☐ No ☐ N/A
Preservation of existing vegetation	☒ Yes ☐ No ☐ N/A
Setbacks to watercourses/riparian buffers	☒ Yes ☐ No ☐ N/A
Provisions of any property vegetation plan	☐ Yes ☐ No ☒ N/A
Comments Landscaping and Preservation of Existing Vegetation Refer to the revised Wolumla Valley Estate Concept Master Plan (prepared by Human Habitats and PLANNED) included with the DA re-submission material. Also refer to Sections 4.1 and 4.2 of this revised SEE Report and the revised BDAR prepared by Local Environmental Solutions. Setbacks to Watercourses Refer to Sections 3.1 and 3.2 of the revised Wolumla Valley Estate Concept Master Plan as well as the revised BDAR included with the DA re-submission material.	

4.11.2 Biodiversity Considerations

Biodiversity Considerations	
Will the proposed development involve clearing native vegetation	☒ Yes ☐ No ☐ N/A

Will any part of the proposed development take place on land nominated on the Biodiversity Values Map	☐ Yes ☒ No ☐ N/A
Will any proposed clearing exceed the nominated threshold for the land	☒ Yes ☐ No ☐ N/A
Is the application supported by a development biodiversity assessment report	☒ Yes ☐ No ☐ N/A
Comments Refer to the comments at Sections 4.1 and 4.2 of this SEE Report as well as the revised BDAR prepared by Local Environmental Solutions included with the DA re-submission material.	

4.11.3 Environmental Impacts – Hazards

Is the proposal satisfactory having regard to:	
Soil instability/subsidence/slip/mass movement, uncompacted fill	☒ Yes ☐ No ☐ N/A
Contaminated land provisions or listings	☒ Yes ☐ No ☐ N/A
Other	☐ Yes ☐ No ☒ N/A
Comments Soils Refer to Section 3.1 and 3.3 of the revised Wolumla Valley Estate Concept Master Plan and the revised BDAR prepared by Local Environmental Solutions included with the DA re-submission material. Also refer to the Geotechnical Investigation prepared by ACT Geotechnical Engineers included with the original DA submission. Contaminated Land Provisions or Listings Refer to the discussion at Section 4.4 of this revised SEE Report, which responds to the provisions of SEPP (Resilience and Hazards).	

4.11.4 Environmental Impacts – Built

Is the proposal satisfactory having regard to:	
Impact on adjoining land and the locality?	☒ Yes ☐ No ☐ N/A
The amenity of the area?	☒ Yes ☐ No ☐ N/A
Appearance from public spaces?	☒ Yes ☐ No ☐ N/A
Noise/lighting impacts on adjoining developments or roads etc?	☒ Yes ☐ No ☐ N/A
Existing noise sources?	☐ Yes ☐ No ☒ N/A

The scenic qualities and features of the landscape and streetscape?	☒ Yes ☐ No ☐ N/A
The design, scale and character of the area?	☒ Yes ☐ No ☐ N/A
Sunlight and overshadowing?	☒ Yes ☐ No ☐ N/A
Visual impact?	☒ Yes ☐ No ☐ N/A
View sharing?	☒ Yes ☐ No ☐ N/A
The positioning of buildings?	☐ Yes ☐ No ☒ N/A
Boundary treatments, retaining walls and impact on neighbouring buildings	☒ Yes ☐ No ☐ N/A
Is the road system adequate to cater for any increase in traffic movements generated by the proposal?	☒ Yes ☐ No ☐ N/A
Is vehicular access satisfactory?	☒ Yes ☐ No ☐ N/A
Is carparking provided and adequate?	☒ Yes ☐ No ☐ N/A
Is a carparking contribution appropriate?	☐ Yes ☒ No ☐ N/A
Has the availability, accessibility and adequacy of public transport been considered in the assessment of this proposal?	☒ Yes ☐ No ☐ N/A
Is pedestrian access satisfactory?	☒ Yes ☐ No ☐ N/A
Comments Amenity and Design Considerations Refer to the comments at the relevant parts of the BVDCP at Section 4.7 of this SEE Report. Also refer to the revised Wolumla Valley Estate Concept Master Plan (prepared by Human Habitats and PLANNED) and included with the DA re-submission material. Transport, Traffic and Parking Refer to Section 3.2.2 of this revised SEE Report, the revised Wolumla Valley Estate Concept Master Plan (prepared by Human Habitats and PLANNED) and the revised Traffic Engineering Report prepared by TTM included with the DA re-submission material.	

4.11.5 Social and Economic Impact

Will the proposal have a social and economic impact	☒ Yes ☐ No ☐ N/A
Comment The current Application would have a positive social and economic effect in that it would facilitate the orderly and proper development of the subject land for residential purposes, which would offer choice in housing type, lifestyle opportunity and affordability without adverse environmental consequence and/or impact on existing service infrastructure. In addition, it is likely that developer contributions would be levied in accordance with Council adopted and applied policy for the provision of reticulated water and sewer services and the provision/maintenance of open space and/or community facilities. The contributions would be in form of a 'one off' payment, the monetary value of which would be determined at the time of payment and following the favourable determination of this current Application.	

4.11.6 Public Interest

Would approval of the development be in the public interest?	☒ Yes ☐ No ☐ N/A
Have the principles of ecologically sustainable development been considered in the assessment of this development under the <i>Environmental Planning & Assessment Act 1979</i> ?	☒ Yes ☐ No ☐ N/A
Has the precautionary approach been considered in the assessment of this development?	☐ Yes ☐ No ☒ N/A
Have the potential impacts of sea level rise been considered in the assessment of this development?	☐ Yes ☐ No ☒ N/A

4.11.7 Crime Prevention Through Environmental Design

Will the proposed development satisfy the Principles of Crime Prevention Through Environmental Design? ☒ Yes ☐ No ☐ N/A

Comment.

There are four principles that need to be considered as part of proposed development for the purpose of minimising the opportunity for individuals to participate in anti-social behaviour and crime. They are:

- **Surveillance Measures**

Opportunities for anti-social behaviour and crime can be reduced by providing opportunities for effective surveillance by creating sight lines between public and private places and maximising natural surveillance and by providing appropriate lighting and landscaping.

- **Access Control**

The principle of access control is to use physical and symbolic barriers to attract, channel or restrict movement of people to minimise opportunities for anti-social behaviour and crime by increasing the effort required to commit the act or offence.

- **Territorial Reinforcement**

The principle revolves around community ownership of public spaces and the creation, promotion and maintenance of public spaces, which the public feel comfortable in using. Well used public spaces act as a deterrent against anti-social behaviour and crime as they reduce the opportunity to commit the act or offence. Designing with clear transitions and boundaries between public and private spaces is essential.

- **Activity and Space Management**

This principle is linked to the principle of territorial reinforcement and ensures that spaces are appropriately utilised and well-cared for. Space management strategies include activity co-ordination, site cleanliness, timely repair of vandalism and graffiti, the replacement of lighting to name a few.

The subject development proposal has been developed with regard to its contribution to the achievement of Crime Prevention through Environmental Design (**CPTED**) principles, and the site and its surrounds have been considered in the context of existing and proposed activities in this location and their potential to contribute to crime prevention strategies to improve safety.

The following elements of the development and proposed design treatments would help ensure against the incidence of anti-social behaviour and crime within the site and its immediate curtilage.

Lighting

Lighting plays a vital role in crime protection and personal safety.

Standard streetlights are proposed to be provided along the internal public roads, which will provide low lux lighting that will offer security along the streetscapes and adjoining public open space area edges at night. It is not envisaged that the public open space areas will be lit at night. The absence of lighting is so as to discourage people from entering and lingering within these spaces during the night.

As relevant, lighting will be designed in accordance with Australian Standards AS1158 and AS4282.

Fencing

The characteristics of fencing is important and should ensure personal safety and the security of asset.

Fencing of the individual residential allotments is not proposed as part of this current Application. It is expected that such fencing would be proposed as part of future DAs proposing residential development of the individual allotments.

Entrapment Spots and Blind Corners

Ensuring personal safety is paramount. Accordingly, it is important to eliminate areas of potential conflict through careful design of pathways, buildings, structures and facilities and their spatial relationships both internal and external to the site.

The pedestrian pathways within the streetscape and the public open space areas are direct, barrier free and visually permeable.

Landscaping

The design, establishment and ongoing maintenance of landscaping is of paramount importance if both passive and active surveillance within the development and its immediate curtilage is to be effectively managed.

The proposed landscaping treatments would be sited and species selective to ensure longevity and ease of maintenance whilst enhancing streetscape character, public amenity and passive surveillance opportunities.

Communal/Public Areas

Communal or public open space areas that do not have adequate natural surveillance are a risk to personal safety.

Natural surveillance of the streetscapes and public open space areas is considered to be high given that the residential allotments will have frontage to such spaces. Whilst the design and layout of the future dwellings is not yet known, it is expected that ground floor and upper-level windows and/or balconies will be incorporated along the frontages to the streetscapes and public open space areas. Such elements will provide direct sightlines to the public domain, which reinforces natural surveillance and guardianship.

Movement Predictors

Movement predictors are routes which people move through on a regular and predictable basis.

The proposed pedestrian routes are open and direct and would enjoy high levels of passive surveillance when viewed from adjacent areas.

5 Conclusion

This Application provides a Concept Master Plan for the Proponent's landholding – 'Wolumla Valley Estate', and the first stage of development comprising the subdivision of land and associated civil construction works at Lot 2 DP1287077, No. 22 Mine Lane, Wolumla NSW.

The scope of the proposal has been assessed in accordance with the provisions of all relevant State legislation, the Bega Valley Local Environmental Plan 2013 and Bega Valley Development Control Plan 2013 (as relevant) and has been found to be an acceptable development.

Based on the information contained within this Statement of Environmental Effects Report and the technical documentation included with the DA submission, it is our opinion that there are no sustainable grounds to refuse the issue of development consent.

Attachment 1 – SDMP

Category	Principles as per 5.5.1.1 Sustainable Design Management of the BVDCP 2013	Response
Energy	▪ ensure solar passive design including subdivision and layout of building/s on the property ▪ ensure the efficient use of energy ▪ reduce energy peak demand ▪ encourage renewable energy generation ▪ reduce total operating greenhouse gas emissions ▪ encourage building materials with low embodied energy	▪ The development proposed has been designed to permit future housing to be designed to optimise solar orientation. Whilst a curvilinear road alignment has been designed so as to accommodate the natural topography of the land, the roads are generally aligned north-south and east-west, which will further assist with the provision of good solar access to future dwellings. ▪ The proposed movement network looks to maximise the use of active transport through the provision of an enjoyable and safe pedestrian pathway network and allowance for all future allotments to be within a 250m radius of a bus stop.
Water resources	▪ protect and enhance natural waterways and bodies ▪ encourage the collection and reuse of stormwater ▪ ensure the efficient use of water ▪ reduce total operating potable water use ▪ encourage the appropriate use of alternative water sources (e.g. greywater)	▪ Drainage corridors have been integrated into the proposed public open space network with passive, naturalistic drainage infrastructure within streetscapes, and the aesthetic and habitat value of retardation basin(s) maximised. ▪ Landscaping scheme utilises local endemic and robust, drought tolerant plant species to ensure low maintenance landscaping.
Ecology	▪ protect and enhance biodiversity ▪ protect and enhance existing natural landscapes, heritage, amenity (including visual) and neighbourhood character ▪ provide ecologically sustainable landscapes and natural habitats ▪ protect and manage all remnant indigenous plant communities ▪ encourage the planting of indigenous vegetation ▪ encourage productive gardens	▪ The scope of the development proposed involves areas of land that have been exposed to significant disturbance through the ongoing routine agricultural management of the land. ▪ Refer to Sections 4.1 and 4.2 of this SEE Report as well as the revised BDAR prepared by Local Environmental Solutions, which demonstrate that adequate consideration has been given to avoiding and minimising impacts to biodiversity in the design and siting of the Wolumla Valley Estate proposal. ▪ The landscaping scheme retains endemic vegetation (where viable to do so) and introduces new landscape design with a local palette.

Category	Principles as per 5.5.1.1 Sustainable Design Management of the BVDCP 2013	Response
Stormwater Management	▪ reduce the impact of stormwater run-off ▪ improve the water quality of stormwater run-off ▪ achieve best practice stormwater quality outcomes ▪ incorporate the use of water sensitive urban design, including stormwater re-use	▪ Refer to the stormwater management strategy at Section 3.8.3 of the revised Wolumla Valley Estate Concept Master Plan as well as Section 3.2.3.3 of this SEE Report. ▪ The proposed development integrates water management strategies into open 'green' spaces.
Transport	▪ ensure that the built environment is designed to promote the use of walking, cycling and public transport in that order ▪ ensure accessibility for all ages and capabilities ▪ minimise car dependency ▪ promote the use of low emissions vehicle technologies and supporting infrastructure	▪ Refer to Sections 4 and 5 of the revised Wolumla Valley Estate Concept Master Plan, which demonstrates that the movement network has been designed to promote the use of active travel and public transport.
Waste Management	▪ ensure waste avoidance, reuse and recycling during the design, construction and operation stages of the development ▪ consider the durability and long term reusability of building materials ▪ design the built environment to adapt to future needs in a waste-efficient manner	▪ As is standard practice, waste avoidance, reuse and recycling measures would be implemented as part of the future construction program. ▪ Use of low maintenance, durable materials to reduce on-going costs, and (where possible) to encourage higher-quality outcomes will be encouraged as part of the future construction program.
Indoor Environment Quality	▪ achieve a healthy indoor environment quality for the wellbeing of building occupants, including the provision of fresh air intake, cross ventilation, natural daylight, external views and appropriate levels of lighting ▪ achieve thermal comfort levels with minimised need for mechanical heating, ventilation and cooling ▪ reduce indoor air pollutants by use of materials with low toxic chemicals, minimal off-gassing and production of allergens ▪ reduce reliance on mechanical heating, ventilation, cooling and lighting systems ▪ use flexible internal controls for any mechanical systems ▪ minimise noise levels and noise transfer within and between buildings and associated external areas	Not relevant to the development proposed.

Category	Principles as per 5.5.1.1 Sustainable Design Management of the BVDCP 2013	Response
Innovation	▪ encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings and the surrounding area ▪ integrate effectively buildings with accessibility, landscaping, open spaces, community facilities, natural areas, public and active transport and safety	▪ The development proposed has been designed to permit future housing to be designed to optimise solar orientation. ▪ The proposal seeks to maximise land efficiency through rationalising private land parcels, open space areas and road cross sections. ▪ The proposed road alignments respond to topography, reducing cut/fill and excessive infrastructure. ▪ Water management strategies have been integrated into the open 'green' spaces.