



allen price & scarratts pty ltd  
land and development consultants

27 January 2022

Our Ref: N25930

Your Ref: PP028

The Chief Executive Officer  
Shoalhaven City Council  
PO Box 42  
NOWRA NSW 2541

Attention: Stephen Dunshea

Dear Stephen

**LETTER OF OFFER FOR PROPOSED PLANNING AGREEMENT BETWEEN SHOALHAVEN CITY COUNCIL AND SEALARK PTY LTD REGARDING DEDICATION OF PUBLIC RESERVES RELATED TO VARIOUS LOTS THAT FORM THE CALLALA BAY EXPANSION PLANNING PROPOSAL (PP028)**

Further to our previous correspondence with Council staff related to the finalisation of the Callala Bay Expansion Planning Proposal (PP028), please find attached our Letter of Offer to enter into a Planning Agreement with Shoalhaven City Council (Council).

The purpose of the proposed Planning Agreement is to facilitate the proposed dedication of various parcels of land as shown on APS drawings N25930-09 & N25930-16 (see **Attachment B**) to Council as Public Reserve which results from the Planning Proposal process with the following public benefits:

- Open Space Linear / Asset Protect Zone Reserve that facilitates walking/cycling connection to Jervis Bay and completes a larger reserve network around the Callala Bay village;
- Playground / Open Space that provides for future residents;
- Conservation Reserve to protect the threatened orchid, *Genoplesium Baueri*;
- Drainage Reserve area to hold and treat stormwater from surrounding future residential use.

This correspondence acts as a formal letter of offer to commence facilitating dedication of the above Public Reserves to Council as a Planning Agreement is the only mechanism that allows this land dedication.

The dedication of the land as Public Reserve is in the public interest as it continues the strategic government stewardship/ownership of these public reserve systems that currently exists in and around the Callala Bay village and owned by numerous government agencies which includes Shoalhaven City Council, NSW Crown lands and NSW National Parks and Wildlife Service. A Planning Agreement is the only mechanism that allows this land dedication to be made to Council.

Attached is a draft Schedule 1 to a proposed Planning Agreement (see **Attachment A**), which outlines the timing and funding of the necessary works. It is understood that the parties will need to enter into an agreement in accordance with Sections 7.4 to 7.10 of the Environmental Planning and Assessment Act 1979. The formalisation of this Agreement is proposed to be completed prior to satisfying Part 6 of the Shoalhaven Local Environment Plan 2014.

Should you require further detail, please do not hesitate to contact us.

Yours faithfully  
ALLEN PRICE & SCARRATTS PTY LTD

James Harris

**Attachments:**

A - Schedule 1 to Proposed Planning Agreement between Shoalhaven City Council and Sealark Pty Ltd;

B – N25930-09 & N25930-16.

**ATTACHMENT A**

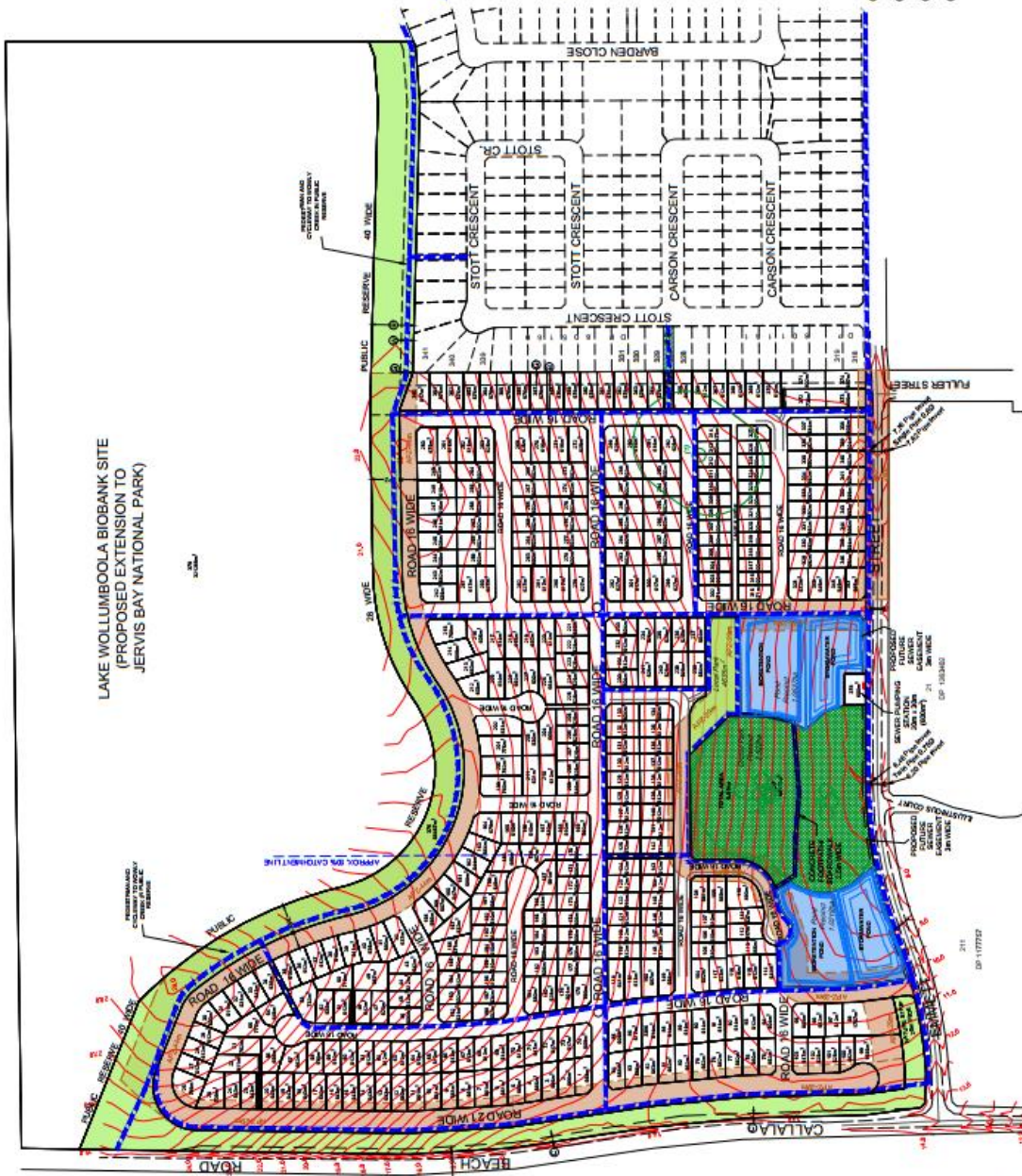
**Schedule 1 to Proposed General Terms for a Planning Agreement between Shoalhaven City Council and Sealark Pty Ltd**

<b>Public Benefits</b>	
<b>Monetary Contributions</b>	<b>Land Contributions</b>
Nil	Sealark Pty Ltd will undertake landscaping and embellishment works on proposed public reserves as per APS drawing N25930-09 & N25930-16 in accordance with the conditions of the Planning Proposal related to the subject land. The land is dedicated to Shoalhaven City Council upon the registration of the first plan of subdivision that creates any lots.
Nil	Sealark Pty Ltd will dedicate the proposed public reserves as per APS drawing N25930-09 & N25930-16 to Shoalhaven City Council as Public Reserve following the issuing of a Subdivision Certificate.
Nil	Sealark Pty Ltd will maintain the proposed public reserves as per APS drawing N25930-09 & N25930-16 in accordance with the conditions of the Planning Proposal from the date of issue of a Subdivision Certificate for a period of 5 years. A bond covering the completion of these works will also be provided and the bond will be returned following the 5-year period.
\$15,000 annual contribution for a period of 5 years to maintain the established Asset Protection Zone (provided by applicant) on parts of the public reserve.	The proposed public reserve system with an established Asset Protection Zone (provided by applicant) provides a significant strategic fire break for the entire northern and western boundaries of the Callala Bay village.

ATTACHMENT B

SUBDIVISION MASTERPLAN

LAKE WOLLIMBOOLA BIOPANK SITE  
(PROPOSED EXTENSION TO  
JERVIS BAY NATIONAL PARK)



**NOTES:**  
The plan was prepared for the client as an indicative guide only. It is not to be used for construction purposes. The client is responsible for ensuring compliance with all relevant legislation, including the Environmental Planning and Assessment Act 1979 (NSW) and the Environmental Planning and Assessment Regulation 2007 (NSW). The client is also responsible for obtaining all necessary approvals from the relevant authorities. The client is advised that the plan is based on the information provided to the engineer and is not to be used for any other purpose. The engineer does not warrant the accuracy or completeness of the information provided to the engineer. The client is advised that the plan is based on the information provided to the engineer and is not to be used for any other purpose. The engineer does not warrant the accuracy or completeness of the information provided to the engineer.

**NOTE:**  
GENERAL INFORMATION HAS BEEN OBTAINED FROM NSW AND PROPERTY INFORMATION (PI) DIGITAL CADASTRAL DATA BASE (DCDB) AND IS SUBJECT TO SURVEY. IT SHOULD BE VIEWED AS APPROXIMATE ONLY.

- ROADS 31 WIDE & 16 WIDE
- LOT WELD 300M<sup>2</sup> LOTS 348
- 480M<sup>2</sup> LOTS (see book) 26
- PUBLIC RESERVE 3
- PROPOSED RESERVES (see book) 1
- SEWER PUMPING STATION 1
- RESERVE LOT 1

**PRESTREAM CULINARY**  
**GENOXESUM BALKON**  
**ECOLOGICAL REPORT (E.R.2019)**  
**GENOXESUM BALKON SPACES FOR VISION**  
**ECOLOGICAL REPORT (E.R.2019)**

- ① EASEMENT FOR BUFFER FREE RESOLUTION 10 WIDE (SP 777416) (ECC)
- ② EASEMENT FOR BUFFER FREE RESOLUTION 10 WIDE (SP 777416) (ECC)
- ③ EASEMENT FOR BUFFER FREE RESOLUTION 10 WIDE (SP 777416) (ECC)
- ④ EASEMENT FOR BUFFER FREE RESOLUTION 10 WIDE (SP 777416) (ECC)
- ⑤ EASEMENT FOR BUFFER FREE RESOLUTION 10 WIDE (SP 777416) (ECC)

**PROFESSIONAL ENGINEER'S CERTIFICATE**  
I hereby certify that the above plan and specifications are in accordance with the provisions of the Environmental Planning and Assessment Act 1979 (NSW) and the Environmental Planning and Assessment Regulation 2007 (NSW).

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