



12 August 2011
Our Ref: 6643J.8KS

Daniel Keary
A/Executive Director
Major Projects Assessments
NSW Department of Planning & Infrastructure
23-33 Bridge Street
Sydney NSW 2000

Tallawarra Lands Concept Plan Application – MP09_0131

Dear Daniel,

We refer to previous correspondence regarding the abovementioned Concept Plan application and in particular to your letter dated 15 July 2011 detailing the outcome of the test of adequacy process undertaken by the Department on the Tallawarra Lands Draft Environmental Assessment submission.

The letter confirmed that the Department is generally satisfied the submission adequately addresses the Director General's Requirements but requested the provision of further information regarding flooding, noise and consistency with Wollongong LEP 2009. Details of the information required were provided in Attachment 1 and Attachment 2 to your letter of 15 July 2011 and in an email sent by Jane Flanagan, Senior Planner on 18 July 2011.

We take this opportunity to summarise how the Department's request for additional information has been addressed by the Proponent and its consultants.

Response to Request for Additional Information

Attachment 1

Flooding	<ul style="list-style-type: none"> Refer to attached letter prepared Bewsher Consulting dated 9 August 2011.
Noise	<ul style="list-style-type: none"> Refer to attached response prepared by SKM. Refer to supplementary acoustic report prepared by PKA Acoustic Consulting attached at Appendix 25B to the EA submission.
Land Use	<ul style="list-style-type: none"> The EA report has been updated to make reference to a "future General Industrial development area" south of Yallah Bay Road. The land use key provided on the Concept Plan has been amended to emphasise that only land uses permissible under the zoning are proposed. The proposed retirement living and primary school land uses have not been removed from the Concept Plan as they are permissible under the provisions of SEPP (Infrastructure) and SEPP (Housing for



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	Seniors or People with a Disability). The Department is requested to assess the merits of these permissible land uses as part of its consideration of the Concept Plan application.
Contamination / Acid Sulphate Soils	<ul style="list-style-type: none"> Sections 5.9.16 and 6.9.3 of the EA report have been amended to include a recommendation regarding the preparation of an Acid Sulphate Soils Management Plan.
Contributions	<ul style="list-style-type: none"> Section 8 of the EA report has been amended to address state infrastructure contributions and the <i>Draft Special Infrastructure Contribution Illawarra (West Lake Illawarra) Determination 2011</i>.
Email from Jane Flanagan dated 18 July 2011	
Land Use	<ul style="list-style-type: none"> Refer to above comments. In addition and in response to the comment that independent living units are not supported as they do not deliver permanent employment opportunities, it is noted that a retirement village is expected to include permanent staff in the form of village managers, caretakers, landscape maintenance staff, caterers, on-site nurses and doctors. The table at Section 5.9.1 of the EA report has been updated to state that a school undertaken by a private body is permissible in the B7 zone with Development Consent under the provisions of Clause 28(1A) of SEPP (Infrastructure) and that Clause 28(1B) notes that Clause 28(1A) ceases to have effect from 20 February 2012.
Additional Appendices submitted on 7 June 2011	<ul style="list-style-type: none"> The EA report has been updated to reflect the conclusions and recommendations of the additional reports submitted to the Department on 7 June 2011.
Contributions	<ul style="list-style-type: none"> The EA report has been amended to refer to a "Neighbourhood Centre" and to remove references to a "Local Centre".
Public domain / conservation areas / foreshores	<ul style="list-style-type: none"> The Draft Statement of Commitments have been amended to include a commitment that TRUenergy will work with the Lake Illawarra Foreshore Authority to facilitate public access to the foreshore. Section 5.5 of the EA has been amended to refer to SEPP (Major Development) 2005, to specify the Clause of the SEPP under which the project was declared to be a major project by the Minister and to nominate the schedules of the SEPP that applied to the project when the Minister's declaration and the Director General's Requirements were sought.
Statement of Commitments	<ul style="list-style-type: none"> The Draft Statement of Commitments have been amended to include a column identifying the body/authority responsible for monitoring compliance with each of the commitments and to reflect the reports submitted to the Department on 7 June



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	2011.
Plans and documents	<ul style="list-style-type: none">A series of additional site analysis – constraints summary plans have been prepared by Corkery Consulting and are included at Appendix 5 of the EA report.

As requested by the Department, five hard copies and ten CD's of the final EA submission are provided with this letter.

Please advise the Proponent of the application fee in due course.

We trust the application may now proceed to public exhibition.

If you have any questions regarding this matter, please don't hesitate to contact the writer on 9980 6933.

Yours faithfully

DON FOX PLANNING PTY LIMITED

A handwritten signature in black ink that reads 'Katherine Sheppard'. The signature is fluid and cursive, with the first name 'Katherine' written in a larger, more prominent script than the last name 'Sheppard'.

**KATHERINE SHEPPARD
PARTNER**

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Attachments

1. Bewsher Consulting letter dated 9 August 2011
2. SKM response