

TALLAWARRA LANDS, YALLAH

REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

| | |
|-------------------|------------------|
| Director | Murray Donaldson |
| Senior Consultant | Audrey Chee |
| Project Code | SA5342 |
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1. INTRODUCTION

1.1. PRELIMINARY

This report has been prepared by Urbis on behalf of the BridgeHill Group as the applicant, requesting that the Secretary of the Department of Planning & Environment (DPE) issue requirements for the preparation of an Environmental Impact Statement (EIS) to accompany a Section 75W Modification to Concept Approval MP09_0131.

The BridgeHill Group have acquired some of the Tallawarra Lands in the Northern and Central Precincts from Energy Australia, and intend to develop new residential communities and a light industrial development and tourism facilities on those lands.

The Tallawarra Power Station (Stages A & B) is retained by Energy Australia, as well as surrounding buffer lands, and the Lakeside Precinct (south of Yallah Road).

Land that was surplus to the Tallawarra Power Station were subject to a rezoning process by Wollongong City Council, which was preceded by a Local Environmental Study (LES).

Concept Approval (MP09_0131) was granted on 23 May 2013 by the Planning Assessment Commission as a delegate for the Minister for Planning and Infrastructure for a mixed use development including residential, commercial, industrial and retail development, public open space areas, new recreational facilities, environmental management, conservation areas and riparian corridors at Tallawarra Lands, Yallah. The Concept Plan correlates closely with the LEP Amendment.

Concept Approval (MP09_0131) was granted on 23 May 2013 by the Planning Assessment Commission as a delegate for the Minister for Planning and Infrastructure for a mixed use development of the site owned by Energy Australia Tallawarra Pty Ltd.

The proposed modification seeks to:

- Increase the footprint for residential development in the Central and Northern precincts; and
- Modify the overall approved residential yield from 1010 to 1480 lots.

The proposed modification has the potential to have the following public benefits:

- Additional land to satisfy the Illawarra region's growing housing needs; and
- A diversity of housing including small lot housing to provide affordably priced homes to satisfy the needs of the Illawarra region.

1.2. PURPOSE OF THIS REPORT

BridgeHill Group is seeking a modification to the Concept Plan approval pursuant to the transitional provisions of former Part 3A. BridgeHill Group met with officers from the Department of Planning and Environment where it was advised that the proposed modifications will require new environmental assessment requirements to be issued by the Secretary of the DPE.

The purpose of this report is to request that the Secretary's Environmental Assessment Requirements (SEARs) be issued for the preparation of an EIS. To assist with this request for the SEARs, the following information is provided. Reference to the specialist studies and reports associated with the Concept Plan was undertaken to assist with identifying key environmental assessment issues.

- Site details;
- An overview of the proposed development;
- A summary of the existing statutory planning framework;
- Identification of the key environmental assessment issues associated with the proposal and a brief examination of the likely extent and nature of any potential impacts; and
- Details of preliminary consultation.

1.3. THE PROPONENT

BridgeHill Group are the Proponent for the proposed residential and industrial development, having acquired land in the Central Precinct and Northern Precinct at Tallawarra from Energy Australia (EA). The land acquired from EA is illustrated in Figure 1 and coloured, as follows:

- Northern Precinct (Lot 3) – 45.06 hectares
- Central Precinct 1 (Lot 1) – 73.2 hectares
- Central Precinct 2 (Lot 5) – 6.497 hectares

FIGURE 1 – LAND ACQUIRED BY BRIDGEHILL GROUP

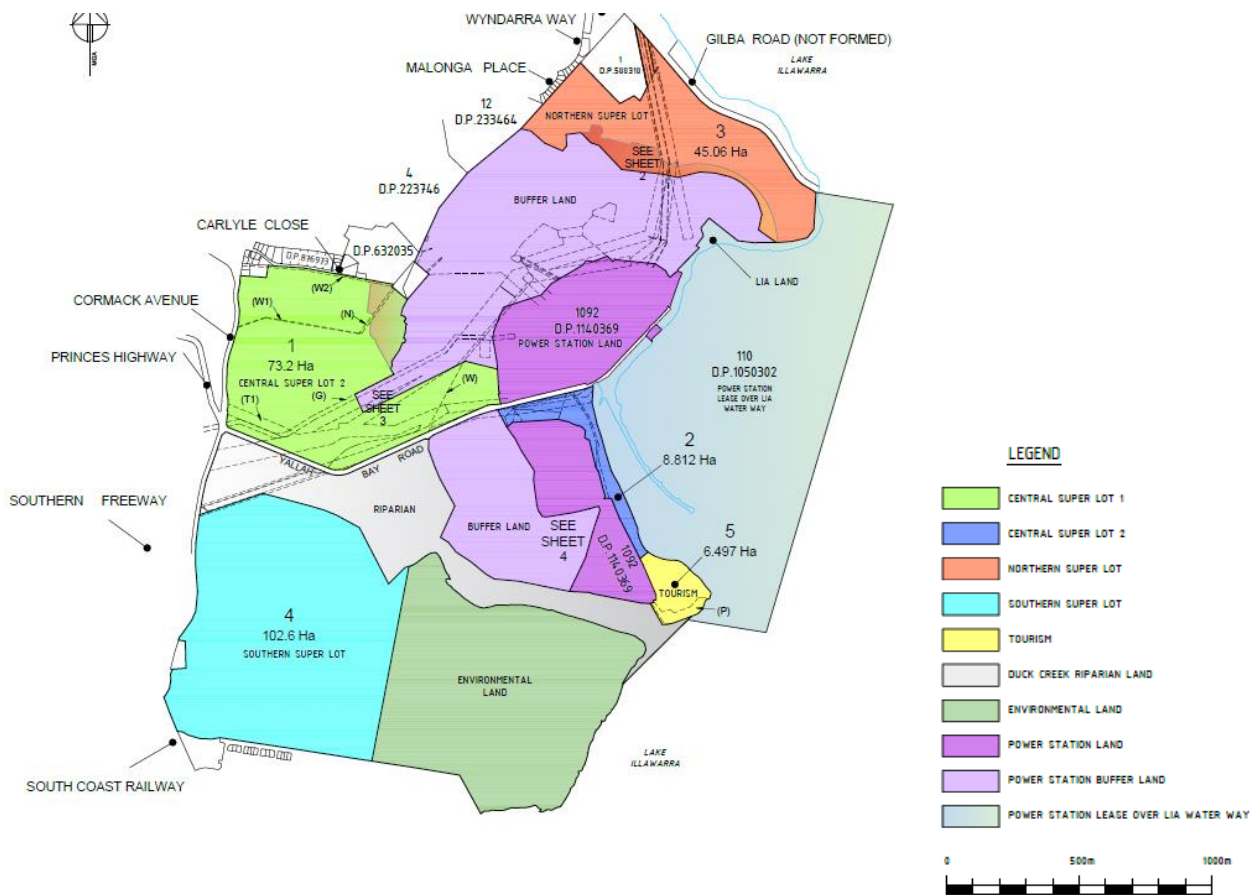


Figure 2 illustrates the land to be acquired in the Central Precinct show in green colour and outlined with a thick black line.

FIGURE 2 – CENTRAL PRECINCT LAND TO BE ACQUIRED

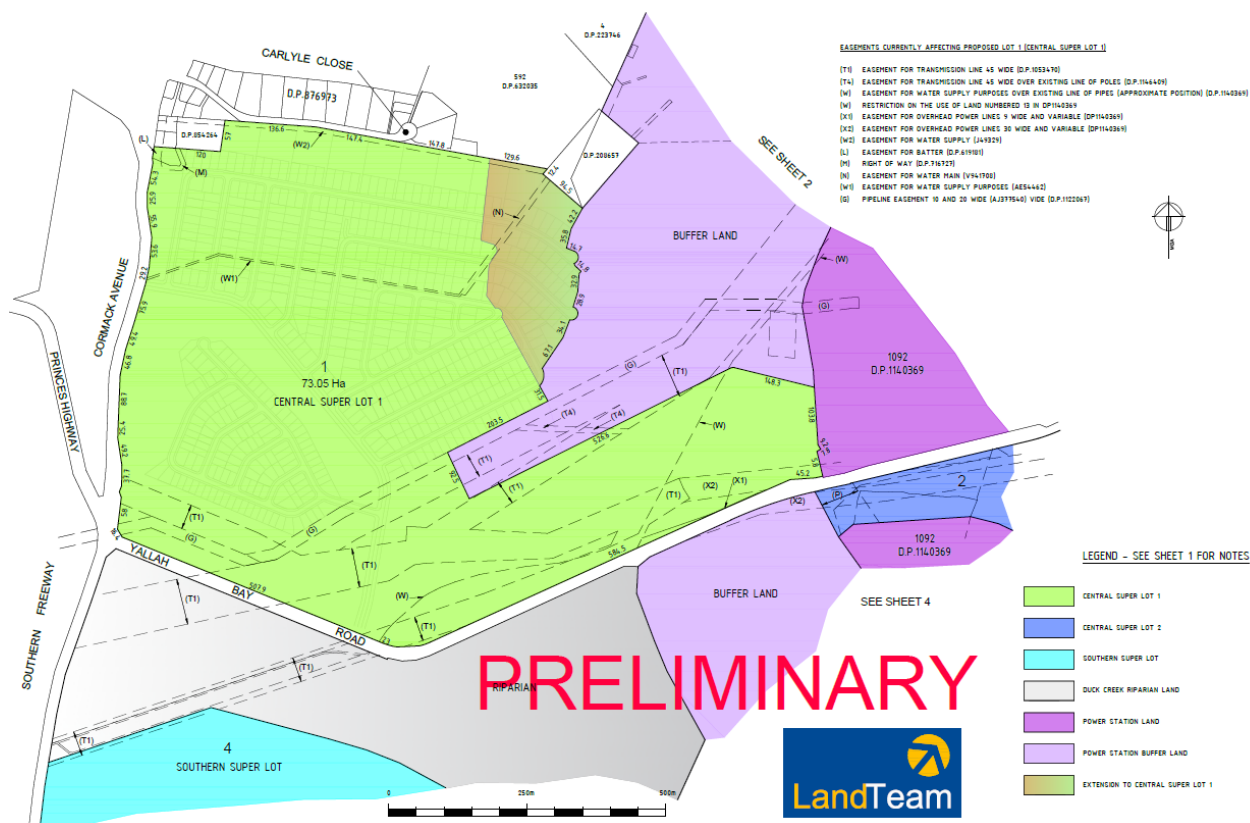
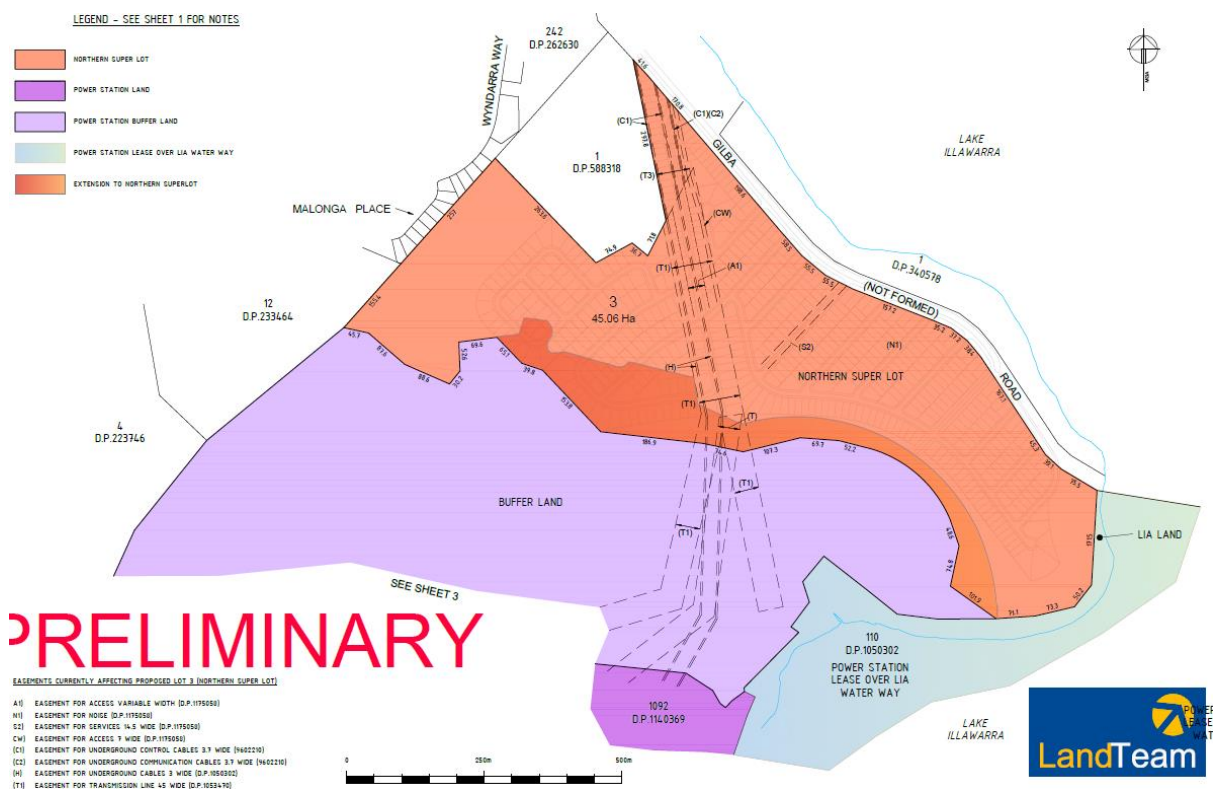


Figure 3 illustrates the land to be acquired in the Northern Precinct show in red colour and outlined with a thick black line.

FIGURE 3 – NORTHERN PRECINCT LAND TO BE ACQUIRED



The BridgeHill Group is one of Australia's fastest growing property developers. The Group is currently developing 1800 apartments across Sydney and is accumulating green field development land across NSW.

BridgeHill have built a reputation for delivering quality homes that meet people's desires and needs. Their track record shows that The BridgeHill Group creates beautiful spaces to live, which are well designed and constructed, which people will enjoy well into the future. BridgeHill Group philosophy to their development projects are that they are more than glass and steel, they are a delicate balance that addresses aesthetic, social, heritage, statutory, environmental and amenity concerns.

The BridgeHill Group's growing portfolio, includes developments across the Sydney Metropolitan Area include recently completed projects are Rhodes – the Azure and Monaco apartments and BridgeHill Residences in Milsons Point.

BridgeHill Group's vision for the Tallawarra lands is to create highly liveable residential communities in the Central and Northern Precincts that are well connected to the natural surrounds, and existing Illawarra community. Important to this vision is the provision of new models of residential living, which is affordable and liveable.

2. THE SITE AND SURROUNDS

2.1. SITE DESCRIPTION

The site is located in the suburb of Yallah within the Wollongong Local Government Area and is located approximately 13 km south of Wollongong town centre.

The project site has an area of 539 hectares and is commonly known as the 'Tallawarra Lands'. The site comprises the following allotments:

- Lot I in DP 109795;
- Lot 31 in DP 1175058;
- Lot 1 in DP 551658;
- Lots 30 in DP 1175058;
- Lot 20 in DP 633211;
- Lot 102 in DP 716727;
- Lot 3 in DP 109795;
- Lot 15 in DP 1050255;
- Lot 151 in DP 628980;
- Lot 1 in DP 543285;
- Lots 10 and 11 in DP 552933;
- Lots 1 and 2 in DP 792664;
- Lots 7 and 8 in DP1049520;
- Lot 1 in DP 1146409; and
- (Southern) Part 1092 in DP 1140369.

The site comprises the former buffer zone lands of the Tallawarra coal fired power station, which operated from 1954 to 1989. The plant and much of its ancillary buildings have since been demolished and replaced by a gas fired power station.

The Tallawarra Lands are situated on the western foreshore of Lake Illawarra adjacent to the West Dapto release area, within the Local Government Area of Wollongong. The site lies east of the M1 corridor (Princes Highway) on the western foreshore of Lake Illawarra.

Figure 4 – Site Location (source DFP Planning consultants)



Figure 5 – Aerial Photographs of the Site (source DFP Planning consultants)



2.2. EXISTING ACCESS ARRANGMENTS

The surrounding road network is comprised of the following:

- The Southern Freeway which is located just west of the subject site.
- The Princes Highway which forms part of the western boundary of the site.
- Cormack Avenue which forms part of the western boundary of the site.
- Yallah Bay Road, which is a public road that intersects with the Princes Highway and provides an east-west route through the site to the Tallawarra Power Station and foreshore areas.
- Gilba Road which provides an access point to the northern area of the site via Koonawarra. The road is formed up to the boundary of the site. The unformed extension of the road adjacent to the northern site boundary has been dedicated to Council.

The Yallah Bay Road is the only public vehicular access road into the site.

Vehicular access directly off the Southern Freeway is not available. South bound traffic on the freeway utilises the exit ramp located further south at Haywards Bay to re-join the northbound freeway before exiting to the Princes Highway to loop back under the freeway and into the site. Northbound traffic on the freeway uses the same northern exit ramp back to the Princes Highway to access the site.

The Princes Highway is one-way southbound south of the intersection with Yallah Bay Road. The Princes Highway merges with the Southern Freeway. Alternatively, traffic exiting Yallah Bay Road can travel north along the Princes Highway back to Dapto which also provides a connection back to the Southern Freeway.

Cormack Avenue intersects with the Princes Highway just north of the intersection with Yallah Bay Road. Cormack Avenue provides a connection with the suburb of Koonawarra. The collector roads through Koonawarra also provide access back to the Princes Highway at Dapto and then to the Southern Freeway.

3. THE APPROVED CONCEPT PLAN

Concept Approval (MP09_0131) was granted on 23 May 2013 by the Planning Assessment Commission as a delegate for the Minister for Planning and Infrastructure for a mixed use development of the site owned by Energy Australia Tallawarra Pty Ltd.

Specifically, the Concept Plan includes:

- Three residential precincts known as the North Shore Precinct, Central Precinct and the Lakeside (southern) Precinct accommodating a total of 1,010 lots;
- A 200 dwelling retirement village and a primary school within the B7 Business Park zoned land in the Lakeside precinct;
- A neighbourhood centre (4.25ha) within the Central Precinct;
- Approximately 12 hectares of land zoned B6 Enterprise Corridor in the Lakeside Precinct;
- Approximately 54 hectares of land for industrial and light industrial uses on the northern and southern side of Yallah Bay Road accommodating 34,160m² of industrial development;
- A 2.5 hectare tourist site at the eastern end of the Central Precinct on the headland along the foreshore of Lake Illawarra;
- Associated road networks, foreshore open space network, walkways, cycle paths, share paths; and
- Approximately 360 hectares of open space.

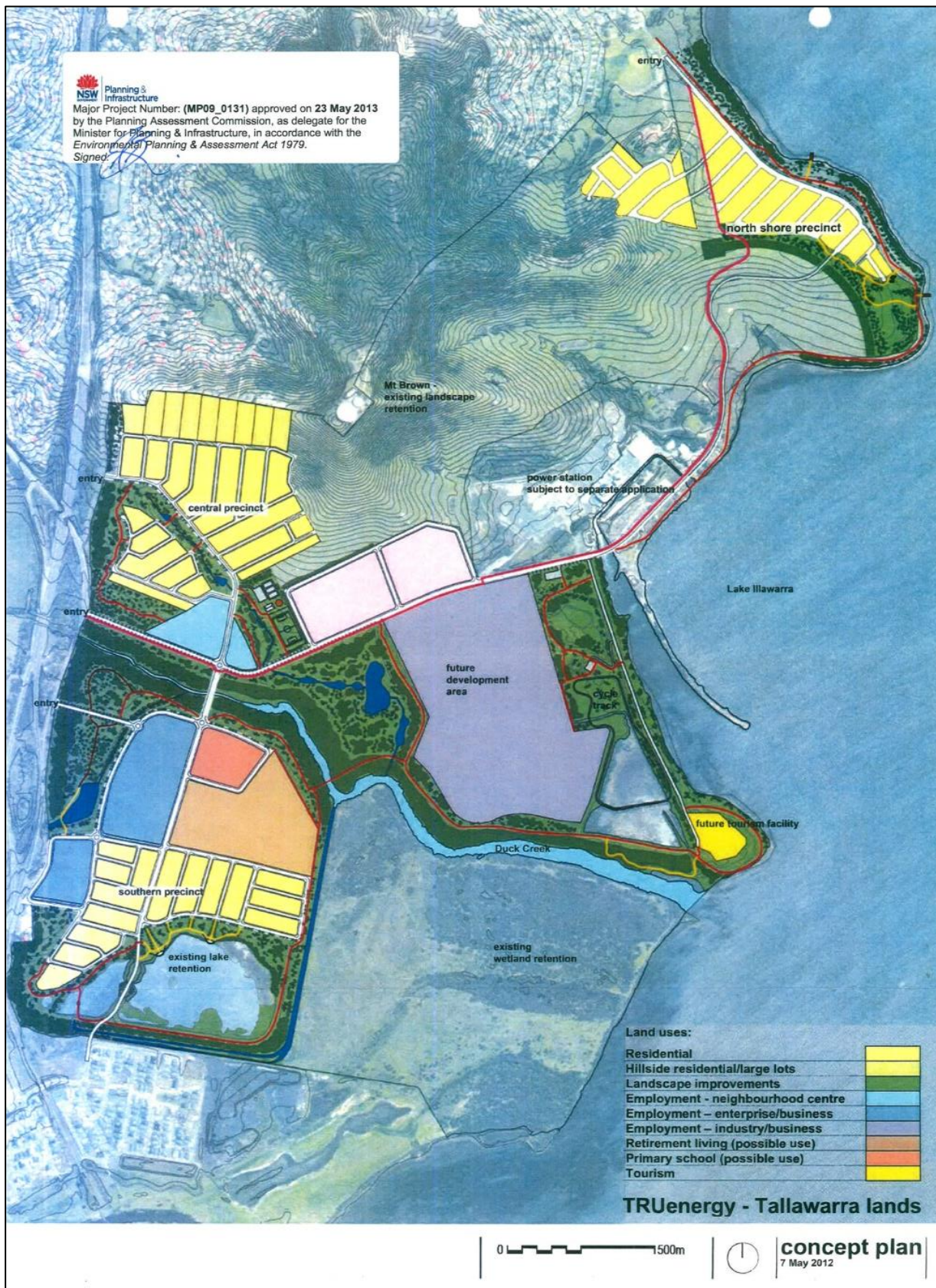
The key components of the approved Concept Plan are outlined in the table below.

TABLE 1 – KEY PROJECT COMPONENTS

| Precincts | Description |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project Summary | Concept Plan for a mixed use development over 3 Precincts (530 hectares) |
| Northern Precinct (110 hectares) | <ul style="list-style-type: none"> • Approximately 310 residential lots (22.3 hectares). • Environmental management areas in the vicinity of Mount Brown. • Open space areas on the foreshore of Lake Illawarra (87 hectares). • The Northshore Precinct has existing vehicular access via Gilba Road. |
| Central Precinct (210 hectares) | <ul style="list-style-type: none"> • Approximately 340 residential lots (27 hectares) and 10 large residential lots (11 hectares). • A Neighbourhood Centre (4.25 hectares), incorporating a small supermarket, speciality shops, medical centre and child-care centre. • Industrial and light industrial uses (54 hectares). • A tourism (2.5 hectares) use on the Lake foreshore headland at the eastern end of the precinct. • Open space, incorporating the residential sports ground and Duck Creel riparian lands (109 hectares environmental and recreational). <p>The Central Precinct would have total urban area of 101 hectares, with the remaining 109 hectares being open space and land reserved for environmental conservation.</p> |

| Precincts | Description |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lakeside Precinct (215 hectares) | <ul style="list-style-type: none"> Approximately 350 residential lots. 200 dwelling retirement village (11.2 hectares) and primary school (2.5 hectares). Commercial uses, including business/office and bulky goods retail. <p>The Lakeside Precinct has a total urban area of 51.2 hectares, with the remaining 164 hectares being open space and land reserved for environmental management conservation.</p> |
| Summary | |
| Residential Component | <ul style="list-style-type: none"> A total of 1,010 residential lots. |
| Industrial Component | <ul style="list-style-type: none"> Approximately 54 hectares of land for industrial and light industrial uses. |
| Retail Component | <ul style="list-style-type: none"> Retail uses would be accommodated within the Central and Lakeside Precincts. |
| Traffic arrangements and vehicular access | <p>Traffic and access arrangements comprise:</p> <ul style="list-style-type: none"> Three roundabout entrances off the Princes Highway at Cormack Avenue, Yallah Bay Road, and the southernmost entrance to the B7 zoned land within the Lakeside Precinct. Road linkage from Hayward Bay to the Lakeside Precinct. Upgrade of the existing Yallah Bay Road to a collector road. Construction of a north-south collector road, including a vehicular access across Duck Creek. |
| Open Space | <p>Provision of publically accessible open space and through site links totalling 3,097m² including:</p> <ul style="list-style-type: none"> Sports facilities located in central precinct, such as playing fields, netball and tennis courts, children's playground, communities and surface car parking; Lake Illawarra foreshore open space, pocket parks and bike path; and Barbecue and picnic facilities in open space and foreshore pocket parks. |
| Environmental Management | <p>A total of 360 hectares (67% of the site) zoned <i>E2 – Environmental Conservation</i> and <i>E3 – Environmental Management</i> zones, including Mount Brown, a large portion of flood prone land, lakes and wetlands south of Duck Creek, together with the riparian corridor of Duck Creek.</p> |

FIGURE 6 – APPROVED CONCEPT PLAN



4. DEVELOPMENT DESCRIPTION

4.1. OVERVIEW

The Section 75W Modification application will seek approval for the following modifications to MP09_0131:

- Increase the building footprint for residential development in the Central precinct and the Northern precinct; and
- Modify the overall maximum number of residential lots from 1010 to 1480 lots.

The proposed modifications will result in reduced environmental lands between the Central and Northern precincts a summary of the number of proposed residential lots is provided in the table below.

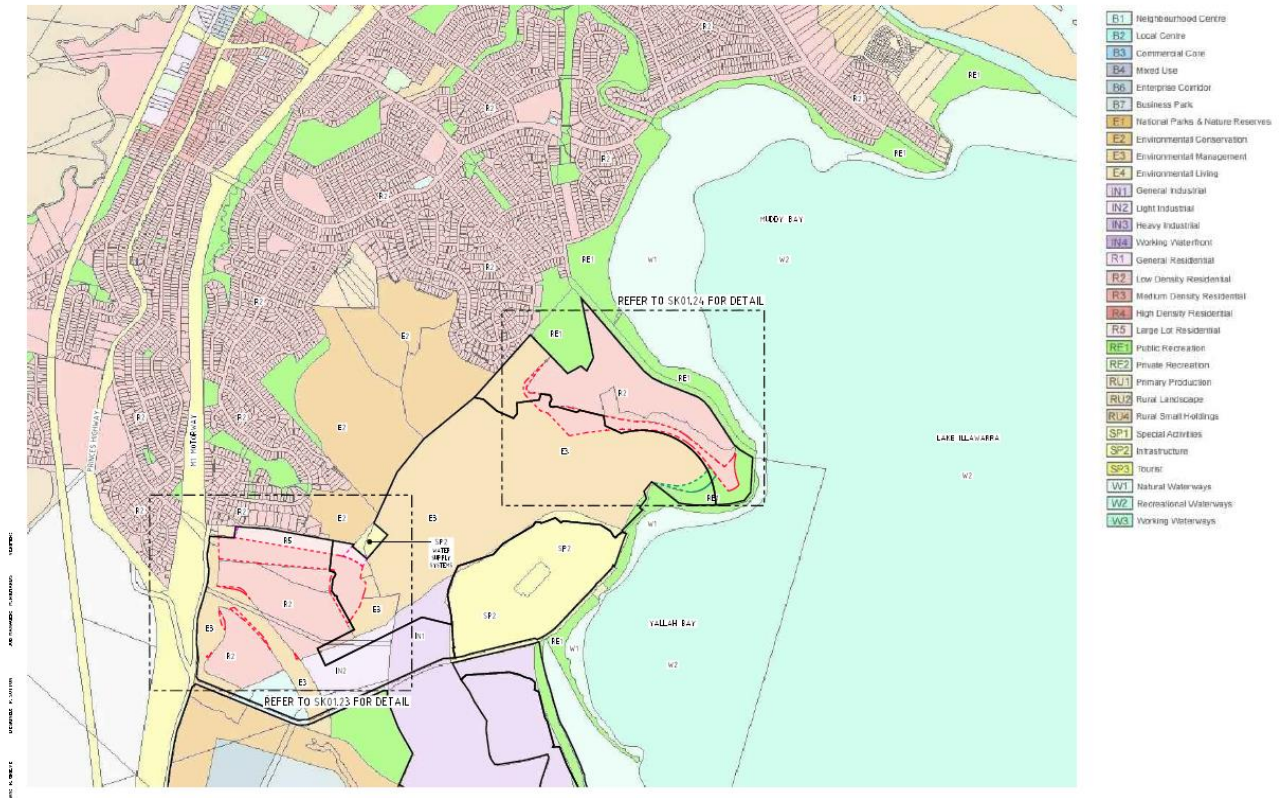
TABLE 2 – RESIDENTIAL LOTS

| Item | Approved Concept Plan | Proposed Modification |
|-----------------------------|-----------------------|-----------------------|
| Central precinct | | |
| Dwelling yield | 350 lots | 588 lots |
| North Shore precinct | | |
| Dwelling yield | 310 lots | 542 lots |
| Lakeside precinct | | |
| Dwelling yield | 350 lots | 350 lots |

No changes are proposed to the Lakeside precinct. The Lakeside precinct is to be retained in the ownership of Energy Australia.

The figures below illustrate the extent of the modifications to the development footprints for each precinct under the Concept Approval, overlayed on the relevant Zoning Map under the *Wollongong Local Environmental Plan 2009*. These images are based on the indicative super lot subdivision identified in the approved Concept Plan and the proposed modified Concept Plan.

FIGURE 7 – CONCEPT PLAN MODIFICATIONS RELATIVE TO LAND USE ZONING



4.2. NORTHERN PRECINCT

The following amendments are proposed to the Concept Plan in the Northern Precinct:

- Reduce the existing transmission easement width to accommodate a 15 metre wide corridor for underground transmission lines beneath a proposed road;
- Expand the R2 zone (for low density residential land) south east into the E1 Public Recreation lands
- Expand the R2 Zone (for low density residential use) south into the E3 Environmental Management up to the ridge.
- The composition of lots has been altered from the Concept Plan, with a new indicative layout that includes lots down to 300m² and 12.5 metres frontages, where suited to the topography of the site.

Figure 7 illustrates the proposed modification to the R2 Low Density Residential zoned in the Northern precinct (bounded by dashed red line) within the land acquired by BridgeHill. Figure 8 illustrates the indicative lot layout.

FIGURE 8 – NORTHERN PRECINCT CONCEPT PLAN MODIFICATIONS RELATIVE TO LAND USE ZONING

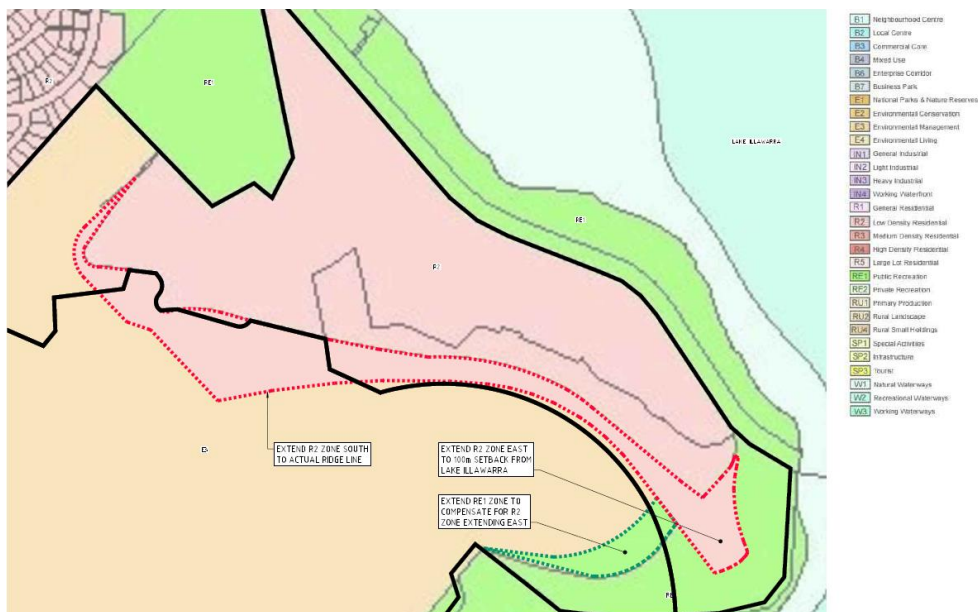


FIGURE 9 – NORTHERN PRECINCT: INDICATIVE LOT LAYOUT



4.3. CENTRAL PRECINCT

The following amendments are proposed to the Concept Plan for the Central Precinct:

- Expand the R2 Zone (for low density residential development) east, into the E3 Environmental Management zone.
- Expand the R2 zone (for low density residential) north into the R5 (large lot residential) zone.
- Minor alterations to R2 zone (for low density residential development) into E3 Environmental Management Zone.
- The composition of lots has been altered from the Concept Plan, with a new indicative layout that includes lots down to 300m² and 12.5 metres frontages, where suited to the topography of the site.

FIGURE 10 – CENTRAL PRECINCT CONCEPT PLAN MODIFICATIONS RELATIVE TO LAND USE ZONING

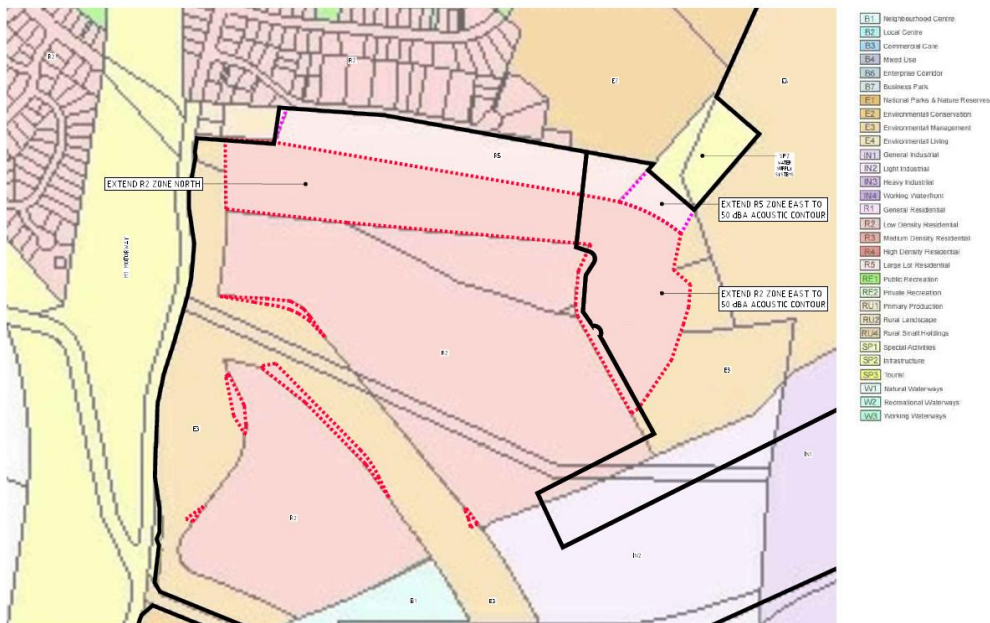


FIGURE 11 – CENTRAL PRECINCT: INDICATIVE LOT LAYOUT



5. PLANNING FRAMEWORK

The Director General's Environmental Assessment Requirements (DGRs) associated with the Concept Plan identified various environmental planning policies and guidelines that were required to be addressed in the EIS. The following table provides a summary relative to the proposed modifications, which will be further explored as part of a future EIS. Some of these strategies have been adopted since the Concept Plan was determined and supersede previous strategies.

Table 3 – Summary of environmental planning policies and guidelines

| EPI / Guideline | Response |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NSW 2021 – A Plan to Make NSW Number One | <p>'NSW 2021 A Plan to Make NSW Number One' is the State Government's 10 year plan to guide policy and decision making across the State to restore economic growth and establish NSW as the first place to do business in Australia . One of the underlying, central themes of the strategy is to drive economic growth in regional NSW , with one of the Premier's priorities to improve the timing of housing approvals.</p> <p>The proposal responds to this by providing increased opportunities to accommodate housing in the NSW South Coast that is situated close major road networks; within proximity to vast natural recreational spaces and future employment precincts.</p> |
| Illawarra Shoalhaven Regional Plan 2015 | <p>The Illawarra Regional Strategy applies to the local government areas of Kiama, Shellharbour and Wollongong, and is one of the number of regional strategies that have been prepared by the Department of Planning for high growth areas. The primary purpose of the Strategy is to ensure that adequate land is available and appropriately located to sustainably accommodate the projected housing and employment needs of the Region's population over the next 25 years (2006 – 2031).</p> <p>The proposed increase in residential yield will contribute towards accommodating additional housing requirements with regard to the environmental measures provided in the Concept Plan approval.</p> |
| SEPP 71 Coastal Protection | <p>The site is located within the "coastal zone" of NSW. The proposed increase to the building footprint for residential development and the future tourism use will require assessment relative to the following considerations:</p> <ul style="list-style-type: none"> • Impacts on the amenity of the coastal foreshore; • Public access to the foreshore; • Conservation and enhancement of areas of biodiversity; • Avoidance of land subject to coastal processes and hazards; and • Protection of Aboriginal and European heritage. |

| EPI / Guideline | Response |
|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SEPP Major Development 2005 | The project was declared to be a major project pursuant to Clause 6 this SEPP. The proposed modification will be sought under the Part 3A transitional provisions of the Environmental Planning & Assessment Act, 1979. |
| SEPP Infrastructure 2007 | The proposed modifications do not require assessment under the State Environmental Planning Policy (Infrastructure) 2007 as the changes do not relate to public infrastructure. |
| SEPP 65 – Design Quality of Residential Flat Development | Not applicable as the modification relates to R2, E3 and RE1 zoned land and no residential flat buildings are proposed. |
| Wollongong LEP 2009 | <p>Key relevant planning controls are discussed below.</p> <p>Land use and permissibility</p> <p>The site comprises numerous land use zones.</p> <p>The proposed modifications relate to parts of the site zoned:</p> <ul style="list-style-type: none"> • E3 – Environmental Management; • R2 - Low Density Residential; • R5 - Large Lot Residential; • RE1 – Public Recreation. <p>The proposed modifications seek to:</p> <ul style="list-style-type: none"> • Increase the building footprint to permit additional “Residential” areas in the Central and North Shore precincts. The additional building footprint will extend into the E3 Environmental Management zone. The only forms of residential uses permissible in the E3 zone are “<i>Dwelling houses</i>”, “<i>Farm buildings</i>”, “<i>Farm stay accommodation</i>” and “<i>Secondary dwellings</i>”. To provide for a wider range of residential land uses including small lots down to 300sqm as to be sought in the Section 75W Modification it is proposed to extend the R2 Residential zone. • Increase to the building footprint to the “Residential” area of the Central precinct to extend northwards into the current approved “Hillside/Large Lots” area, which is zoned R5 Large Lot Residential. The only forms of residential use permissible in the R5 zone are “<i>Dwelling houses</i>” and “<i>Farm buildings</i>”. To provide for a wider range of residential land uses as to be sought in the Section 75W Modification, the future Planning Proposal will also seek to extend the R2 Low Density Residential Zone into the affected parts of the R5 zone. <p>Minimum subdivision lot sizes</p> <p>The land that will be subject to the proposed modification are identified in WLEP 2012 to permit the minimum lot sizes of:</p> <ul style="list-style-type: none"> • 450sqm applicable to the R2 Low Density Residential lands; |

| EPI / Guideline | Response |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> • 4,000sqm applicable to the R5 Large Lot Residential lands; • 40ha applicable to the E3 Environmental Management lands; and • 2,000sqm applicable to the SP3 Tourist lands. <p>The RE1 zone lands do not have a minimum subdivision lot size under WLEP 2012.</p> <p>The proposed modification will seek to increase dwelling yield by introducing smaller lot sizes of some 300sqm to the approved and proposed additional “Residential” lands in the Central and North Shore precincts. The increase to the dwelling yield forms part of the Section 75W Modification and will be further discussed and assessed in the future EIS.</p> <p>Height and FSR</p> <p>WLEP 2012 provides the following controls:</p> <ul style="list-style-type: none"> • A maximum building height of 9m applies under the for the land that is subject to the Section 75W modification; • A maximum FSR of 0.5:1 applies to the “Residential” and “Tourist” areas of the Concept Plan; and • The Large Lot Residential area; the RE1; and the Environmental Management Area have no applicable FSR. <p>The Section 75W does not seek to obtain consent for built forms but the EIS will be required to address the visual and amenity impacts of future additional built forms associated with the proposed extended residential development footprints.</p> <p>Relevant acquisition</p> <p>The relevant acquisition authority of the “Landscape Improvement” areas, or the RE1 zoned land is Wollongong City Council. The proponent of the Section 75W will seek to amend the extent of the E3 Environmental Management and RE1 Public recreation zoned land by the proposed expansion of the residential land.</p> <p>This will be required to be further addressed in the EIS, particularly with respect to the retention of public access along the foreshore adjacent.</p> <p>Other considerations:</p> <p>The EIS will also be required to address the following matters as a result of the additional residential building footprint:</p> <ul style="list-style-type: none"> • Provisions relating to development within the coastal zone, such as the protection of the coastal environment; the principles of the NSW Coastal Policy 1997; foreshore access; visual and scenic amenity; impacts on biodiversity and |

| EPI / Guideline | Response |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>ecosystems and the like;</p> <ul style="list-style-type: none"> • Impacts on trees or vegetation; • Potential impacts on Aboriginal and European Heritage; • Provision of public utility infrastructure to accommodate for the expanded building footprint; • Potential impacts on native vegetation and habitat; • Flooding impacts to the additional building footprint areas particularly in respect to the extended tourism footprint; • Riparian impacts in respect to the expanded tourist footprint, which is situated north of Duck Creek. It is not expected that the proposed expanded building footprint in the Central and North Shore precincts will impact on riparian lands. • Impacts of potential earthworks however detailed assessment would be undertaken as part of future detailed DA. • The foreshore building line in respect to the expanded tourism footprint, however a detailed assessment would be undertaken as part of future detailed DA. • Potential noise impacts from the Tallawarra Power Station. <p>It is noted that no further consideration to the following matters identified in the WLEP 2012 are required in the future Section 75W Modification:</p> <ul style="list-style-type: none"> • The proposed expanded footprints are not situated in areas where acid sulphate soils are likely to be present and therefore there will be no requirement to further address this matter. • The proposed extended building footprint does not extend beyond the site's boundary and is not located within the ANEC 20 contour associated with the Illawarra Regional Airport and therefore no further consideration to noise impacts associated with this airport is required. |
| NPWS Wollongong LGA Bioregional Assessment Studies | <p>This bioregional assessment covers the escarpment and foothills of the Wollongong local government area. The assessment will be considered in the Ecological Assessment to accompany the EIS.</p> |
| Estuary Management Plan for Lake Illawarra | <p>The Estuary Management Plan provides a guide to the management of Lake Illawarra over the next 5-10 years. Wollongong City and Shellharbour City councils, with support from the NSW Office of Environment and Heritage are preparing a Coastal Zone Management Plan for Lake Illawarra. A Coastal Zone Management Plan (CZMP) is a strategic document that outlines priority actions to be implemented to protect valued aspects and tackle the key threats identified for the Lake.</p> |

| EPI / Guideline | Response |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>The Ecological Assessment to accompany the EIS is to have regard to the priority actions under the Estuary Management Plan for Lake Illawarra.</p> |
| <p>NSW Groundwater Policies</p> | <p>The NSW Groundwater Quality Protection Policy provides a set of policy principles for groundwater quality protection. It also provides guidance on groundwater quality protection to resource managers. The guidelines have been developed to provide a framework for protecting groundwater contamination.</p> |
| <p>NSW State Rivers and Estuaries Policy</p> | <p>The objective of the State Rivers and Estuaries Policy are:</p> <p>To manage the rivers and estuaries of NSW in ways which show, halt or reverse the overall rate of degradation in their systems, ensure the long term sustainability of their essential biophysical functions, and maintain the beneficial functions, and maintain the beneficial use of these resources.</p> <p>The proposed modifications to the Concept Plan are located some distance from Duck Creek, an estuary that flows to Lake Illawarra. Notwithstanding this the EIS will have regard to the State Rivers and Estuaries Policy objectives and policies.</p> |
| <p>NSW Wetlands Management Policy</p> | <p>The NSW Wetlands Policy promotes the sustainable conservation, management and wise use of wetlands in NSW and the need for all stakeholders to work together to protect wetland ecosystems and their catchments.</p> <p>Due to the proximity of the proposed changes to the Concept Plan being located away from any wetlands, the proposed modifications are not expected to have any adverse impacts on wetlands. An assessment is to be carried out on the potential impacts on wetlands with accompany the EIS.</p> |
| <p>Riparian Corridor Management Study (2004)</p> | <p>The riparian zone assessment for the Concept Plan utilised the riparian categories identified in the RCMS (DIPNR, 2004). The RCMS categorizes riparian areas based on their core functions and environmental significance as follows:</p> <ul style="list-style-type: none"> a) Category 1. Environmental Corridor – provide biodiversity linkages ideally between one key destination to another, (the coast and the escarpment, or large nodes of vegetation). b) Category 2. Terrestrial and Aquatic Habitat – provides basic habitat and preserves the natural features of a watercourse (not necessarily linking key destinations). c) Category 3. Bank Stability and Water Quality – has limited (if any) habitat value but contributes to the overall basic health of a catchment. <p>An assessment of proposed expanded residential footprints will</p> |

| EPI / Guideline | Response |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | have regard to the proximity to riparian corridors, and will consider the previous assessments for the Concept Plan and the Riparian Corridor Management Study. |
| Illawarra Floodplain Risk Management Study and Plan (2012) | <p>The Floodplain Risk Management Study for the Lake Illawarra Foreshore has been undertaken by Cardno for the Lake Illawarra Authority on behalf of Wollongong City Council and Shellharbour City Council. The study has been undertaken in accordance with the NSW Government's Floodplain Development Manual (2005).</p> <p>An assessment of proposed expanded residential footprints will accompany the EIS and have regard to the proximity to flood prone land, and this will consider the previous flooding and drainage assessments for the Concept Plan and the Illawarra Floodplain Risk Management Study and Plan.</p> |

5.1. OTHER MATTERS

5.1.1. Part 3A Transitional Provisions of the Environmental Planning & Assessment Act 1979 (The EP&A Act)

The Part 3A Transitional Provisions of the EP&A Act apply to Concept Approval MP09_131. Schedule 6A of the EP&A Act outlines the transitional arrangements following the repeal of Part 3A of the EP&A Act. A project that is the subject of an approved Concept Plan (whether approved before or after the repeal of Part 3A) is subject to Schedule 6A as a transitional Part 3A project.

Clause 3C of Schedule 6A relates to Modification of Concept Plans:

- Section 75W continues to apply for the purpose of the modification of a Concept Plan approved before or after the repeal of Part 3A, whether or not the project or any stage of the project is or was a transitional Part 3A project.
- The clause applies despite anything to the contrary in this Schedule (other than provisions relating to approval for the carrying out of a project or stage of a project that is given in connection with an approval to modify a concept plan).

The proposed modification to the Concept Approval benefits from the transitional provisions and therefore a request to modify the Concept Approval is made pursuant to the provisions of Section 75W (now repealed) of the EP&A Act.

5.1.2. State Environmental Planning Policy No.14 – Coastal Wetlands (SEPP 14)

Two SEPP 14 wetlands are located on the site. One is located on the southern side of Duck Creek, and the other is in the south-eastern part of the site on the northern foreshore of Haywards Bay. The residential areas of the site that are subject to the proposed modifications are located north of Yallah Road and well beyond the vicinity of the wetlands and their associated buffer areas and therefore consideration to SEPP 14 is therefore not applicable in respect to this component of the Section 75W Modification. Notwithstanding, the EIS will address the NSW Wetlands Management Policy as discussed above.

5.1.3. State Environmental Planning Policy No.55 – Contaminated Land

Under SEPP 55, prior to the issue of consent, the consent authority needs to be satisfied that the site is suited to its intended use in terms of any potential soil or ground water contamination. Parts of the site are known to be contaminated as identified in The Coffey Environments, Geotechnical and Contamination and Groundwater Investigations report submitted with the Concept Application. Potential asbestos soil

contamination was also identified by Douglas Partners, as a result of the demolition of the former coal fired power station.

The EIS will be required to identify whether the areas proposed for additional residential areas comprise of contaminated land or groundwater contamination and whether remediation measures are required.

5.1.4. NSW Coastal Policy 1997

The NSW Coastal Policy 1997 seeks to protect the natural, cultural, spiritual and heritage values of the coastal environment, whilst acknowledging and planning for population growth and economic development. The proposed modifications will be required to address the relevant provisions relating to:

- Ecologically sustainable development;
- Population growth;
- Coastal water quality issues; and
- Impacts to natural reserves.

5.1.5. NSW Coastal Design Guidelines

The NSW Coastal Design Guidelines provides the urban design considerations relevant to the planning and design of coastal places to ensure that future developments are sensitive to the natural and built environment of coastal places. The modifications to the Concept Plan will have consideration to the relevant principles such as:

- Defining the footprint and boundary;
- Connecting open spaces;
- Protecting natural edges;
- Reinforcing street patterns; and
- Appropriate built forms for the coastal context.

6. KEY ISSUES FOR CONSIDERATION

6.1. SECRETARY'S REQUIREMENTS

The key issues arising from the proposed modifications to the Concept Plan are discussed below. This information has been prepared to assist the Department of Planning & Environment in identifying requirements for preparing the EIS to support the Section 75W Modification Application. In reference to the Director-General's Requirements for MP 09_0131, the key considerations associated with the proposed modifications are as follows:

- Flora and Fauna impacts relative to the proposed expanded footprints of the Northern and Central Precincts;
- Riparian impacts in respect to the expanded footprint;
- Environmental and residential amenity including acoustic amenity with respect to the expanded residential and increased dwelling yield;
- Extent of flooding impacts associated with the additional building footprint areas particularly in respect to the extended tourism footprint;
- Interface with public domain/conservation areas/ foreshores relative to the proposed expanded residential footprint;
- Built form impacts relative to the proposed expanded residential footprint;
- Traffic impacts associated with the increased dwelling yield;
- Stormwater and drainage infrastructure as a result of the expanded residential footprint; and increased dwelling yield;
- Coastal environmental impacts relative to the proposed expanded footprint;
- Heritage and Aboriginal cultural heritage impacts relative to the proposed expanded residential footprint;
- Bushfire relative to the proposed expanded residential footprint;
- Contamination relative to the proposed expanded residential footprint;
- Utilities in respect to the proposed expanded residential footprint and increase in dwelling yield; and
- Staging having regard to the proponent's future plans to subdivide the site to enable the Central and North Shore precincts to be developed prior to the Southern precinct.

It is not expected that the proposed modifications will require further assessment beyond that undertaken for the Concept Plan relative to:

- Climate change as the implementation of the 'adaptation considerations' contained within the Climate Change Assessment report submitted with the Concept Plan will continue to be adopted through the Statement of Commitments;
- Groundwater investigations as the proposed expansion to the residential footprint are not situated in identified Ash pond areas of the site. The Concept Plan approval under Schedule 3, requirement No. 11 requires "*Further Investigation of the Areas of Environmental Concern and engagement of a Site Auditor accredited under the Contamination Land Management Act 1997*" for future applications and can include consideration to the expanded footprints if required.

6.2. FLORA AND FAUNA

The proposed expanded residential footprints will extend into the E3 Environmental Management zoned land. The Ecological Assessment Report by Ecological Australia submitted with the Concept Plan identifies the presence of Threatened Flora Habitat in the area that is proposed to expand the Residential footprint in

the Central Precinct. The expansion of the residential footprint in the Northern precinct footprint is understood not to result in further removal of significant vegetation.

The Ecological report does not identify the presence of fauna habitat in the subject areas proposed for expansion.

An Ecological Assessment Report will be submitted with the Section 75W Modification to identify potential ecological impacts and any additional measures required to mitigate such impacts.

6.3. RIPARIAN IMPACTS IN RESPECT TO THE EXPANDED FOOTPRINT

It is expected that the expanded development footprints will not impact on the approved widths of riparian areas and buffers to wetlands, foreshore and riparian areas. A minimum 100m setback is proposed to be retained to Lake Illawarra in the Northern precinct. An assessment will identify whether any additional mitigating measures will be required to be included as part of the modified Concept Plan.

6.4. ENVIRONMENTAL AND RESIDENTIAL AMENITY INCLUDING ACOUSTIC AMENITY

Investigations into the reduced acoustic buffer zones from the Tallawarra Power Station (Stages A & B) to the proposed expanded residential footprint will be undertaken. Noise impacts from future industrial land uses, the rail corridor and the Freeway will also be investigated.

Other environmental amenity considerations such as future visual privacy and view loss will be included in the EIS, having regard to the proposed increase in approved residential lot yield.

6.5. EXTENT OF FLOODING IMPACTS

The EIS will include supplementary flood investigations in respect to the additional development areas and will relate to:

- the expanded building footprints and whether there will be additional changes in hydrology to that already found as part of the Concept Plan;
- any additional flood risk management issues in respect to the expanded building footprints.

6.6. INTERFACE WITH PUBLIC DOMAIN/CONSERVATION AREAS/ FORESHORES

The expanded residential areas will extend into the E3 Environmental Management and RE1 Public Recreation Zone. Where required, the following documents will be updated for submission with the EIS:

- Vegetation management plan;
- Landscape plan; and
- Environmental management strategy.

These documents and the EIS will detail the following matters:

- The interface of the expanded footprint with public domain, conservation areas or the foreshore;
- The long term management and maintenance measures;
- Public access along the foreshore; and
- The management of the conservation and foreshore area.

6.7. BUILT FORM

Built form associated with the increase in the residential yield will be addressed in the EIS and will be accompanied by an updated Indicative Concept Plan. The Indicative Layout Plan for the modified Concept Plan is to include some smaller lot sizes (down to 300sqm) and associated typical housing types in a similar way to those presented in the Concept Plan.

A site-specific set of development guidelines will be prepared in conjunction with the first future development application to the Wollongong Council. These guidelines will include provisions such as building heights and setbacks, materials and finishes, building sustainability requirements, landscaping and public domain treatments.

The EIS will include a visual analysis of the built form as a result of the proposed change in residential yield and expanded residential and tourism building footprint.

6.8. TRAFFIC AND ACCESS

Traffic impacts on the local road network will be reviewed relative to the increase in residential lot yield.

The impact on the expanded residential footprints in respect to pedestrian and bicycle linkages will also be investigated, particularly in respect to the retention of foreshore access linkages.

6.9. STORMWATER AND DRAINAGE INFRASTRUCTURE

Stormwater and drainage infrastructure as a result of the increased dwelling yield and expanded residential footprint and will be investigated relative to:

- Water sensitive urban design measures and compliance with Wollongong Council's Development Control Plan default stormwater quality performance targets;
- The extent of increase, if any to environmental flows to water courses and wetlands in comparison the approved Concept Plan;
- Extent of increase, if any to critical stream forming flow target in comparison to the approved Concept Plan.

It terms of water conservation, the adopted sustainability strategy for the Concept Plan will be maintained. This sets a target that future residential development will achieve a 50% reduction in potable water use.

6.10. HERITAGE AND ABORIGINAL CULTURAL HERITAGE IMPACTS

6.10.1. Aboriginal Cultural Heritage

The Aboriginal Archaeological Assessment associated with the Concept Plan indicates that the area of the proposed modification to the residential footprints are identified to have a low to moderate likelihood of containing intact aboriginal archaeological remains (Figure 12).

Other than the archaeological sites already reviewed in the Concept Plan application, the following site/s are known to be located within or in close proximity to the proposed expanded footprints, identified in Table 4.

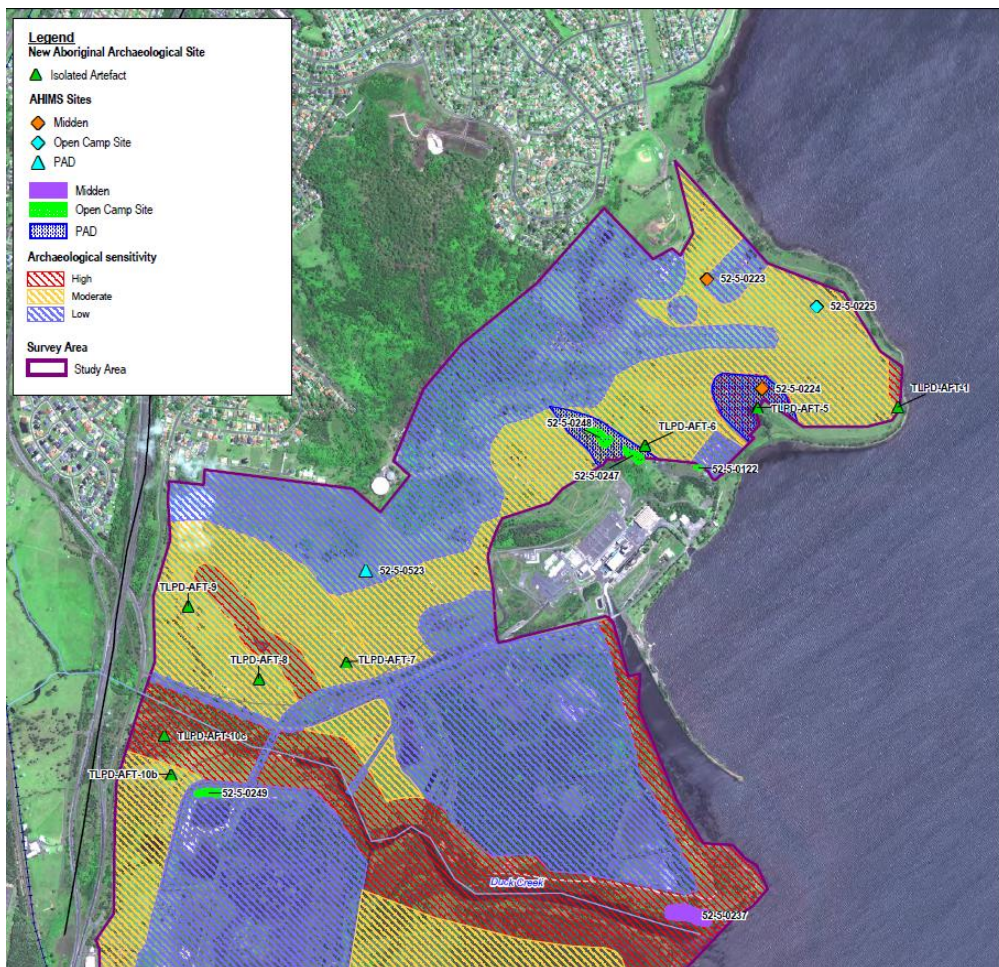
TABLE 4 – ARCHAEOLOGICAL SITES

| Archaeological site | Location | Significance |
|---------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| PAD site 52-5-0523 | Near or within the proposed expanded residential footprint in Central precinct | High Aboriginal stakeholder cultural values but unknown archaeological or scientific value. |

Further investigation will be required to:

- Confirm the location of the above archaeological site relative to the proposed expanded areas.
- Consultation with relevant stakeholders will be carried out prior preparation of the EIS.
- Identifying the nature and extent of impacts on Aboriginal and cultural heritage values across the project area; and
- Provide the actions that will be taken to avoid or mitigate impacts or compensate to prevent unavoidable or mitigate impacts of the project or Aboriginal cultural heritage values.

FIGURE 12 – LOCATION OF ABORIGINAL ARCHAEOLOGICAL SITES



6.10.2. European heritage

Mount Brown Reserve is an identified local heritage item that is partly located on the site. There are no other listed heritage items within the site but a few are situated near the site boundaries:

- A house on Princess Highway, Yallah;
- A military bunker at Mt brown Reserve; and
- Duck Creek Bridge (RTA Bridge 689).

A number of potential archaeological sites are located within the site but a limited number is situated in the general vicinity of the areas proposed to be modified:

- TH1 Former riding school in the north shore precinct but this would be impacted by the approved Concept Plan.
- TH2 Possible homestead or dairy in the central precinct;
- TH3 Group of buildings adjacent to the central precinct; and
- TH8 Water Reservoirs.

The house and Duck Creek Bridge are not located in the vicinity of the proposed modifications and therefore it is expected that there will be no impact. Similarly, it is expected that the proposed expanded footprints will not impact on the above potential archaeological sites (Figure 13).

A heritage impact assessment will be prepared as part of the EIS to examine the proposed modifications in respect to the impact on Mt Brown Reserve, the military bunker and any other relevant potential archaeological sites.

FIGURE 13– EUROPEAN HERITAGE



6.11. BUSHFIRE

The site contains bushfire prone land and asset protection zones of varying widths will be required to be accommodated when the detailed subdivision planning is undertaken. As part of the EIS for the modification, a review of the proposed expanded development footprints will be undertaken having regard to whether the asset protection zones will be required to be modified or increased.

6.12. CONTAMINATION

The site contains nine potential Areas of Environmental Concern (AEC), with the following AECs situated in the vicinity of the proposed expanded development footprints identified in the table below:

TABLE 5– POTENTIAL AEC IN THE PROXIMITY OF PROPOSED MODIFICATION

| Precinct | Location within Precinct | Potential AEC |
|-------------|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Central | Near increased residential footprint (Figure 14) | <ul style="list-style-type: none">• AEC 6 – Filling and Disposal of Waste in Farm Dams or Other Areas.• AEC – 4 Former Heggies Contractor Area. |
| North Shore | Near increased residential footprint (Figure 14) | <ul style="list-style-type: none">• AEC 6 – Filling and Disposal of Waste in Farm Dams or Other Areas.• AEC 3 – Weathering of hazardous building materials, pesticide use, chemical storage.• AEC 7 – Weed control. |

In regard to AEC 2, AEC 3 and AEC 4, the contaminants identified exceed the human health investigations levels for residential land. The contaminants included asbestos and lead, arsenic, petroleum hydrocarbons and pesticides. However based on the location of the lands uses proposed in the Concept Plan, the environmental consultants, Coffey Environments Australia concluded that:

“the potential for soil contamination to constrain the proposed concept master plan is low. It is considered that further investigation of the identified AECs that fall within proposed development areas (including any requirements for remediation and management) can be addressed at the time of (or just prior to) any earthworks for subdivision works in these areas.”

The Statement of Commitments associated with the Concept Plan provides for the continuation of land contamination investigations into the AECs. The Future Assessment Requirements contained with the Concept Plan approval further reinforces this requirement and includes the engagement of a site auditor to all ensure future investigations and remediation works are undertaken appropriately. This includes the potential for contaminants within in the groundwater in the vicinity of the ash ponds.

As part of the EIS preparation for the modification, the proposal will be reviewed by the environmental consultants to confirm that the above conclusion still applies and whether any additional considerations or recommendations will be required.

FIGURE 14 - AREAS OF ENVIRONMENTAL CONCERN (AEC)



6.13. UTILITIES

The modification of the Concept Plan involves an increased residential yield of 1,010 to 1,480. The future EIS will include a review of whether the preliminary strategies for infrastructure provision require to be amended to accommodate the increased development yield. It is noted that the increased residential yield is proposed in part as a result of a review of the utility easements and a proposal to relocate and underground some easements for power. Easements will be adjusted as part of future subdivision applications to suit subdivision layouts.

6.14. STAGING

The EIS is to outline the proposed staging of development in the BridgeHill lands including the staged delivery of infrastructure.

7. CONSULTATION

Key planning officers of the Department of Planning and Environment (the Department) were briefed on the project by representatives of the BridgeHill and Urbis Pty Ltd. Further consultation where required will take place with various agencies following the issue of SEARs to ensure that the EIS responds to the key assessment matters, including:

- Wollongong City Council
- Shellharbour City Council
- Department of Planning & Environment.
- Department of Transport
- NSW Roads and Maritime Authority
- NSW Department of Primary Industries
- NSW Office of Environment and Heritage
- NSW Environmental Protection Authority
- The Commonwealth Department of the Environment and Energy

In accordance with the Regulations, the EIS will be placed on formal public exhibition once the Department of Planning & Environment review the document as being 'adequate' for this purpose. Following this exhibition period, the applicant will respond to matters raised by notified parties.

8. CONCLUSION

This report provides preliminary information on the proposed modifications to the Tallawarra Concept Plan to enable the Minister for Planning to inform the preparation of SEARs for a Section 75W Modification application under the transitional provisions related to Part 3A projects.

The proposal will require the submission of a Section 75W Modification Application and accompanying EIS. This report has been prepared in support of a request for Secretary's Environmental Assessment Requirements, as set out in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

It is expected that a range of matters will be required to be addressed which will be investigated and responded by a team of technical consultants to form the complete EIS package.

The proposed modifications will accommodate additional residential dwellings, some of which will be small lots down to 300m², will provide affordably priced housing with greater diversity of housing types than the Concept Approval currently permits.

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BRISBANE

Level 7, 123 Albert Street
Brisbane QLD 4000
Australia
T +61 7 3007 3800

MELBOURNE

Level 12, 120 Collins Street
Melbourne VIC 3000
Australia
T +61 3 8663 4888

PERTH

Level 14, The Quadrant
1 William Street
Perth WA 6000
Australia
T +61 8 9346 0500

SYDNEY

Level 23, Darling Park Tower 2
201 Sussex Street
Sydney NSW 2000
Australia
T +61 2 8233 9900