



# EXECUTIVE SUMMARY

## Introduction

In August 2006, a submission was made to the Minister for Planning in relation to the nomination of a site at 78 Tongarra Road Albion Park as a State Significant Site. A Preliminary Assessment to establish that the site was subject to Part 3A of the Environmental Planning and Assessment Act together with a proposal to prepare a Concept Plan for the site was also submitted. On 28 September 2006, the Minister for Planning formed the opinion that the proposal is a project and that Part 3A of the Environmental Planning and Assessment Act applies to it. The Minister, on the same date, also authorised the submission of a concept plan for the proposal.

The requirements of the Director General in relation to the Environmental Assessment of the proposal were also received and with regard too the nomination of the site as a State Significant Site the Director General provided the State Significant Site Study requirements as part of the Environmental Assessment Requirements.

This Environmental Assessment Report and State Significant Site Study accompanies a concept plan for the site. It addresses the matters raised by the Director General and sets out the major issues associated with the proposal. It includes an assessment of the likely impacts of the proposal and a statement of commitments for the proposal.

## The State Significant Site Study

The site is situated at 78 Tongarra Road Albion Park adjacent to the Illawarra Regional Airport. The site has an area of approximately 80ha and is currently used for cattle grazing with ancillary dairy farming. The site is close to the residential settlements at Albion Park and the new urban release area at West Dapto. There is a rail station close to the site and the site is accessible to the major settlements in the region at Wollongong and Shellharbour. The site, which is within the coastal zone, also contains significant natural conservation areas including a wetland which is listed of State significance and protected under State Environmental Planning Policy 14 – Coastal Wetlands.

The redevelopment of this site for Business Park purposes will provide a major new employment resource in the Illawarra Region. If the Illawarra is to continue to thrive it needs

to attract economic opportunities. The availability of suitable land, which is accessible to a work force is a major requirement to enable economic growth to take place. Currently over 15% of the workforce in the Illawarra Region commutes to Sydney to work and the provision of jobs within the region which would reduce the need to commute would achieve ecologically sustainable principles. Further, the provision of jobs in the region will lead to investment in the region and economic growth.

The Business Park site has the added advantage of its proximity to the Illawarra Regional Airport which has been identified as an employment hub for the area. The development of industrial and business uses adjacent to the airport will strengthen the regions links to Sydney and other regional areas in economic terms and allow freight transport and the development of the tourist industry in the region.

The site is of regional and State importance because of its strategic location in relation to the population centres in the Illawarra and the transport networks of road, air and rail. Further, the development of the site will deliver public benefits in relation to the provision of employment and the restoration of the significant wetland and conservation areas on the site and the provision of public access to these areas.

Sites with such locational advantages are rare, and because of its size and access to infrastructure and services the redevelopment of the Illawarra Business Park site can make a significant contribution to the future growth and development of the Illawarra Region.

The proposals for the site implement the aims and objectives of the Illawarra Regional Strategy and are consistent with relevant State Environmental Planning Policies.

There is a need for alternative planning and consent arrangements for the site to enable its development to take place in a timely and comprehensive manner. The proposed uses are currently prohibited on the site and the applicable planning instrument, the Shellharbour Rural Local Environmental Plan, does not contain satisfactory zones which could apply to the site to permit the proposed use. The Illawarra Regional Airport is owned and administered by Shellharbour Council and as this is adjacent to the site there could be a conflict if it were to be consent authority for the overall



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development concept for the site. Additionally, the proposal will require the amendment of SEPP14 to correctly identify the wetland on the site and it is preferable that this be done by way of another SEPP.

### The Proposed Planning Regime for the Site

The proposed planning controls for the site will be implemented as an amendment to Schedule 3 of the Major Projects SEPP. It is intended that the only statutory planning controls which will apply to the site will be those contained in the Major Projects SEPP and other State Environmental Planning Policies. The development of the site will take place within the framework of the SEPP and the adopted Concept Plan for the site and associated Design Guidelines and Controls and Management Plans which form part of the Concept Plan. Development with a capital investment value of more than \$20 million will be dealt with under the provisions of Part 3A of the Act and other matters will be Part 4 development. Shellharbour Council will be the consent authority.

The SEPP will amend SEPP 14 – Coastal Wetlands, to alter the boundaries of Wetland 382.

Three zones are proposed on the site:

Zone B7- Business Park  
Zone E3- Environmental Management  
Zone SP2 – Infrastructure

Special provisions will relate to:

- Sustainability
- Height
- Floor Space

Provisions relating to part 4 matters include:

- A clause to preserve trees and other vegetation
- Special provisions apply to the identified Riparian Buffer areas where development is strictly controlled
- Community use of educational establishments is permitted
- Temporary use of land is permitted
- Restrictions on development relating to the operation of the adjacent Illawarra Regional Airport are included
- Restrictions relating to the development of flood liable land are included.

### The Site Analysis

The site is located at 78 Tongarra Road Albion Park. It comprises the following:

prises the following:

- Lot B DP 109816
- Lot 6 DP 1100435

Lot 1 DP 955731 was also included in the site identified for the studies. However, no proposals are included in this study for that land and it is not intended to recommend that the zoning of that land be altered.

The site has an area of 74ha.

The site has an elevation of less than 10m AHD and is located within a valley flat below the Illawarra Escarpment.

The site is subject to flooding and detailed flooding studies and modelling have been carried out on the site in relation to the existing situation. Frazer's Creek flows in a northerly direction through the site and there are two wetlands on the site one of which is protected under SEPP 14 – Coastal Wetlands.

The site is currently used for agricultural purposes but this use is no longer viable on a site of this size.

There are four main vegetation types on the site:

- The modified wetland vegetation
- The modified and artificial riparian vegetation
- A stand of paperbark swamp forest
- Extensive areas of pasture and artificial vegetation

These support fauna habitats but there are no threatened species on the site.

The site is well served by the road network and the only issue relates to the intersection of the Princes Highway and the Illawarra Highway where there are existing capacity problems. The site is accessible by public transport in the form of trains and buses.

The site is on the edge of the existing urban area and there are major residential areas close to, but not adjacent to the site. There are no significant views to or from the site.

Because of its locational advantages, the site provides an important economic opportunity for the provision of jobs in the Illawarra Region which will have the benefit of reducing the outflow of workers from the area. This is a major objective of the Illawarra Regional Strategy.

### The Project Description

The proposed development comprises two distinct

proposals for the site. The first relates to the subdivision of the site for the proposed development of the Business Park, and the other is the improvement and revegetation of the wetland areas and the implementation of a process to hand these over to Shellharbour Council and ensure their ongoing protection and maintenance. The site will be subdivided along a boundary between these two areas which has been defined along the top of the batter of the area to be filled on the site for the development of the Business Park.

#### The Business Park

The Business Park occupies approximately 64% of the site area. It is proposed that it will be subdivided into 61 lots with areas ranging from 1000m<sup>2</sup> to over 3.2ha. There will be a ring road through the site which will extend around the airport runway to the eastern section of the site. The smaller lots (up to 2000m<sup>2</sup>) will be along the edge of the airport east/west runway and to the west of the ring road through the Park. The central area within the ring road will have lots ranging from 8000m<sup>2</sup> to 1.3ha. The largest lots will be in the northern section of the site along the boundary with the environmental management area. Sites along the north/south runway will be between 5000m<sup>2</sup> and over 1ha.

Although no specific uses are nominated for the sites, there are 3 sites where it is proposed that a service station, a hotel/motel and a café could be established. The service station and hotel/motel sites are adjacent to the entry point to the Park and the café site is on the edge of the environmental management area overlooking the wetland.

#### The Environmental Management Area

This area is located along the northern area of the site between Tongarra Road and the Illawarra Highway and the area identified by the Roads and Traffic Authority for the proposed road across the site (the road reserve area). The area occupies approximately 26.58ha of the site (including that section which is within the road reserve) and within this area is the SEPP 14 Wetland and the major waterways on the site; Frazer's Creek and the Macquarie Rivulet.

The boundary of the SEPP 14 Wetland has been ground trusted and is established in the concept plan. It is proposed that SEPP14 will be amended to show this boundary. It is proposed that Frazer's Creek will have its course straightened so that it will run along the north western boundary of the Business Park. The Macquarie Rivulet runs from the SEPP14 Wetland to an extended wetland area on the south eastern boundary of the site.

Within the environmental management area works will be carried out to clean up and improve the watercourses and wetland areas and the natural vegetation will be reinstated.

#### The Riparian Buffer Areas

The riparian buffer area falls partially within the Business Park and partially within the environmental management area. It varies in width from 25m to 40m and contains and is located around the SEPP14 wetland and along Frazer's Creek and the Macquarie Rivulet.

The purpose of the buffer is to protect the wetland and watercourses and to provide a planted area along the banks of the water areas. It is proposed that the watercourses will be cleaned up and planting will be implemented within the buffer area.

No buildings are permitted within this area and the only works permitted relate to flood and environmental management.

Lots within the Business Park which have site area within the riparian buffer area will have a covenant on the title preventing any building or other uses within the buffer area.

The site will be subject to cut and fill to provide flood free land for the development.

#### Key Issues

##### Flooding

Detailed studies have been carried out of the flooding potential on the site and in the area around the site. In order to overcome this issue the site will be cut and filled to provide a flood free area for the construction of the Business Park. The Flood Studies have shown that this cut and fill will not have any significant adverse impacts on the surrounding area in all but the most exceptional flood events.

##### Biodiversity

The proposal will not result in any loss of native vegetation and no threatened species will be impacted on by the proposals. A Vegetation Management Plan has been prepared to provide for the revegetation and on going management of the Conservation Management Area and the Riparian Buffer Areas.

The desired outcomes of the plan are:

- to provide a plan for the implementation of riparian rehabilitation works on the site in order to generate a significant environmental benefit from the project;
- to optimise the long-term viability and health of the native vegetation to be retained and rehabilitated on the subject site;
- to create a substantial element in a habitat corridor along Frazer's Creek and its associated wetlands; and





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- to address the goals of various relevant planning policies with respect to the natural environment and particularly to watercourses and wetlands.
- to reduce the abundance and diversity of weed species in the Conservation Management Area, and to increase the diversity and abundance of native species;
- to control or manage the current threats to the vegetation on the subject site, particularly weed invasion, cattle grazing and physical disturbance;
- to enhance the quality of the fauna habitats within the site, particularly in the wetlands and the riparian zone;
- to contribute to the establishment of a habitat corridor along Frazer's Creek; and
- to establish a monitoring and maintenance program to ensure compliance with the measures outlined in the Vegetation Management Plan and to monitor the success of the riparian rehabilitation and management on the subject site.

A detailed study has been carried out of the wetlands and waterways on the site and it sets out measures for the long term management and rehabilitation of the waterways and wetland areas on the site. The major tool in this process is the creation of the Riparian Buffers which allow the protection of these areas. The buffers will have a variety of treatments in various areas to enhance the wetland areas. These are as follows:

- a 25m wide riparian 'buffer' on each side of Frazer's Creek upstream of the proposed SEPP 14 wetland (in the southern part of the site). The majority of this portion of Frazer's Creek is currently characterised by pasture grasses with a very narrow band of native and introduced shrubs along parts of the Creek;
- a 25m wide riparian 'buffer' around the proposed SEPP 14 boundary. This riparian 'buffer' has two different functions. The 'buffers' adjacent to the Business Park development consist of a 10m band of natural ground adjacent to the wetland and 15m of 'buffer' on the fill batter for the Business Park. Both of these areas are to be rehabilitated using native grasses, sedges and shrub species, but no tree planting will occur in this part of the riparian 'buffer'. On the western side of the ground-truthed SEPP 14 wetland, the riparian 'buffer' and additional lands to the western boundary of the subject site, are to be rehabilitated using a variety of native vegetation types to

provide a continual wildlife corridor or habitat corridor along the western side of the subject site; and

- a minimum 40m wide riparian 'buffer' along Frazer's Creek from the SEPP 14 wetland to the north eastern boundary of the site. Most of the northern riparian 'buffer' is to be planted with a variety of native vegetation types to provide a substantial habitat corridor through the site

### Water Management

A system of Integrated Water Cycle Management has been proposed for the site and this will utilise the principles of water sensitive urban design within a holistic framework to reduce the impacts of the development on all parts of the water cycle. The major aspects of the water cycle that are considered within the strategy include:

- Stormwater;
- Potable Water Demand;
- Wastewater generation;
- Water Conservation; and
- Water Quality.

A Water Cycle Management Plan has been prepared for the development and all subsequent applications will need to comply with the requirements of this plan. The plan provides for the storage and treatment of stormwater on individual sites to ensure that there are no adverse impacts on the adjacent sensitive conservation environments.

### Geotechnical

The soils on the site are Fairy Meadow soil landscape group with slopes usually less than 5%. It is not anticipated that any significant geotechnical constraints exist on the site that will influence development of the Business Park. However, there may be localised areas of unsuitable soils, particularly in the low lying areas. Bulk excavation and filling will be undertaken to alleviate flood concerns in the low lying areas. Any excavation of the soil across the site can be readily carried out using standard excavation equipment.

### Noise

The noise environment in relation to the development has been found to be satisfactory. However, the Acoustic Study found that there could be an impact on some adjacent residents depending on businesses if the Business Park operated 24 hours and if heavy trucks accessed the site during the night hours. As a result, in order to remove the potential for any adverse impacts, the study has recommended that acoustic walls be built in appropriate locations on the site. This matter will be further investigated as planning of the park progresses and the walls will be implemented if required.

### Built Form

The development will be constructed to the highest standards of design and the proposals have adopted the principles of sustainability both in relation to the layout of the site and the design of the buildings. The Design Guidelines and Controls will ensure that the built form is of a high visual standard and that all development is carefully considered. Materials and colours will be controlled to provide a consistency in the visual impact of the buildings.

A Landscape Master Plan has been prepared for the proposal which will provide for landscaping which will soften the built form and contribute to the overall setting of the proposal.

The Conservation Management Zone will be improved and the wetlands and riparian areas will be rehabilitated and the land will be handed to Shellharbour Council for ongoing maintenance at no cost to the Council.

Although the development will have some visual impact it will be seen in the context of the landscaping on the site and the Conservation Management Zone. There will not be any blocking of views from public viewpoints around the site.

#### Transport and Access

Access to the site will be provided from Tongarra Road and a set of traffic lights will be installed at this intersection. The Traffic Study has shown that the development proposal will not have any significant adverse impacts on the surrounding road network. However, there are currently operation constraints at the Princes Highway and Illawarra Highway intersection. It is understood that the RTA is currently investigating options to address this existing operational constraint and the proponent of the development will continue to liaise with the RTA in relation to this matter. Although there is a road reservation through part of the site the RTA has advised that plans in relation to this have not been advanced to a stage where they could be discussed with the proponent.

The site is well serviced by existing bus routes which provide access via Tongarra Road to the railway stations at Albion Park Rail and Oak Flats. The local bus operators view the proposed Business Park as an important development in improving bus service viability in the area.

#### Subdivision

The subdivision of the site involves the creation of 63 lots one of which is the land within the Environmental Management Zone and one is the road reservation area. The actual Business Park area comprises 61 lots ranging in size from 32600m<sup>2</sup> to 200m<sup>2</sup>.

#### Utilities Infrastructure

Infrastructure is available to the site and this has been considered sufficient for the development proposed in the concept plan.

#### Stormwater Management

In the context of rainfall and water use management, the proposed development is to include an innovative, low cost, water quality management strategy that is based on ecologically sustainable development (ESD) and Water Saving Urban Design (WSUD) principles. The key principles of the system are to:

1. Protect and maintain natural systems
2. Protect water quality by improving the quality of stormwater runoff draining from urban developments.
3. Integrate stormwater treatment into the environment by using stormwater treatment systems within the landscape that incorporate multiple uses providing a variety of benefits such as water quality treatment, wildlife habitat, public open space, recreational and visual amenity for the community.
4. Reduce runoff peak flows from developments by on-site temporary storage measures (with potential for reuse) and minimise impervious areas.
5. Add long-term value while minimising development costs. This includes ecological and economical impacts.
6. Reduce potable water demand by using stormwater as a resource through capture and reuse for non-potable purposes.

Stormwater discharge will be directed within each allotment away from the wetland buffer for treatment prior to discharge at identified points. In very substantial rainstorm events, however, there will be some overland flow from the development allotments into the vegetated buffer.

These are only circumstances where there are very high levels of rainfall and stormwater discharge, and overland flows will be filtered through the 25m buffer strip around the wetlands.

#### Staging of Development

The proposed development will be carried out in five stages to ensure that the development is orderly and that the land will be released to the market as required. The initial stages relate to the site preparation works and the commencement of the rehabilitation of the wetland area and the Environmental Management Zone. Work will be completed on most of this area by Stage 3. The northern section of the site will not be developed until Stage 5 and as demand requires.

#### Social and Economic

The new development will create 1650 jobs after completion and numerous jobs during the development of the site. The



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proposal provide a significant employment generating use in an area where there is a large residential population many of whom currently have to travel out of the area for employment. As a result the proposal will have a significant positive social and economic impact on the Illawarra Region.

The site has been recognised in the Illawarra Regional Strategy as an important employment node in the area and when the proposal is assessed against the sustainability criteria in the strategy it fulfils all of the criteria. The development will also provide an important environmental and conservation area for the use and enjoyment of the local residents and this open area will provide a green setting for the Business Park development. This will be a positive social outcome for the surrounding residents and for those in the wider Shell-harbour area.

The development of this site will have extensive positive economic and social impacts in the Illawarra Region.

### Consultation

The consultation programme is divided into two stages. Stage 1 covers the period from November 2006 to April 2007 and Stage 2 will cover the period following the submission of the Concept Plan to the Department of Planning.

During Stage 1, the aim was to identify and contact those people and organizations who could most immediately be impacted on by the proposed development or would have a direct interest in the site. These groups comprised residents and businesses whose properties bordered the site and the local aboriginal groups. A series of meetings were held and follow up phone calls carried out.

### Planning Assessment

The planning assessment of the proposal has been carried out in relation to the provisions of the relevant legislation and the planning controls which will apply to the site. Overall it has been found that the proposal is a positive one in terms of social and economic benefits to the Illawarra community and that there will be environmental gains associated with the development. The proposed development will adopt ESD principles and guidelines have been developed to ensure that the design of the Business Park is of a high standard. It is considered that this proposal implements the aims and objectives of the Illawarra Regional Strategy and will bring economic, social and environmental benefits to the Illawarra Region.

## ARRANGEMENT OF THE REPORT IN RELATION TO THE DIRECTOR GENERAL'S REQUIREMENTS

REQUIREMENT	LOCATION
State Significant Site Study	
(1) CI 8.2 criteria major Projects SEPPP	Sec 2
(2) Criteria for SSS	Sec 2
(3) Proposed land uses	Sec 2, 6, 9.2.5, 9.4,
(4) Implications for regional planning	Sec 2, 9.2
(5) Proposed land use controls	Sec 3, Appendix 2
(6) Future approval regime	Sec 3, Appendix 2,3,4,5,6,7
<b>General Requirements</b>	
EAR must include:	
(1) Executive summary	Sec 0
(2) Description of the project	Sec 6, 8
(3) Consideration of relevant legislation	Sec 4, 9.2
(4) Draft statement of commitments	Sec 10
(5) Conclusion and impacts	Sec 9
(6) Signed statement	Front page
(7) Scope of developer contributions	Sec 6.12, Sec 10.6

<b>Issues</b>	
<b>Flooding</b>	
	Sec 7.1, Appendix 10
<b>Biodiversity</b>	
(1) Flora and Fauna	Sec 7.2, Appendix 15
(2) Waterways and water quality	Sec 7.3, Appendix 12, Appendix 4
<b>Hydrology, Water Management, Geotechnical</b>	
(1) Existing geology	Sec 5.1.2, Appendix 8, Sec 7.4
(2) Soils	Sec 5.1.5, Appendix 8, Sec 7.4
<b>Noise</b>	
(1) Noise impacts	Sec 7.5, Appendix 18
(2) Noise constraints	Sec 7.5, Appendix 18
<b>Built Form and Land Use</b>	
(1) Provisions	Sec 6, Sec 7.6, Appendix 2, Appendix 3
(2) Airport Height Limitation and noise	Sec 3.7, Sec 4.5, Sec 7.6, Sec 9.2.6, 10.5.11, Appendix 18
<b>Transport and Access</b>	
(1) Traffic Impact Study	Appendix 17
<b>Subdivision</b>	
(1) Accessibility	Sec 6.11, Sec 7.8, Appendix 17, Appendix 22,
(2) Contour Plan	Appendix 13
<b>Utilities and Stormwater</b>	
(1) Servicing Report	Sec 7.9, Appendix 16
(2) Drainage and stormwater management	Sec 7.10, Appendix 4, Appendix 12
(3) Water demand management	Appendix 4, Appendix 16
<b>Staging</b>	
	Sec 6.10
<b>Consultation</b>	
	Appendix 20