

Devices shall be located so that as much stormwater as practical flowing from development areas passes through the devices.

treatment train (WSUD) will ensure that current water flows are unaffected and quality is improved.

Fully engineered design will be required to be submitted to Council as part of any subsequent applications for subdivision and built form.

(e) Inter-allotment drainage

All lots without direct access by gravity to the street drainage system to be provided with interallotment drainage capable of discharging a one year return period storm from roofs and sealed areas.

Noted

(f) Erosion and Sediment Controls

Any development application for subdivision of land involving physical works shall include an erosion and sediment control plan.

Noted

To be provided as part of any future applications submitted to Council for subdivision and / or built form.

9.8 Minor Variations to Development Standards

An applicant for development permitted on the land with or without consent of Council may request variation to any development standard specified in the Plan, supported by a written objection that compliance with that development standard is unreasonable or unnecessary in the circumstances of the case and specifying the grounds of that objection.

As can be seen from the previous assessment, there are two areas where the proposal does not strictly comply with the DCP provisions:

- Lot Sizes; and
- "no development" areas

Council may approve minor variations of the development standards specified in this plan without the necessity of amending the plan, where Council is satisfied that such a variation will have a minor impact and is consistent with the aims and objectives of this plan. In considering such a proposed variation Council shall have regard to the need to maintain the consistency of implementation of the Plan and to the relevant provisions of the Rural LEP 1987.

Yes

It is considered that the Proponent has provided adequate justification in the Environmental Assessment to demonstrate:

- (i) why the departure from the standards is reasonable;
- (ii) that there will be minor environmental impact as a result of those departures; and
- (iii) the departures do not compromise the integrity of the implementation of the provisions of Council's Rural LEP 1987.

Development Control Plan No. 156

Rural Subdivision

Comply

Consideration

Clause 3 Aims and Objectives

(a) highlight the need for full and proper consideration of environmental constraints and servicing requirements in the preparation of any application to Council for development consent and the requirement for the preparation and submission of an Environmental Review with such application

Yes

The information submitted as part of the EA includes a comprehensive site analysis which addresses the specific opportunities and constraints to development, which is reflected in the various specialist studies for the concept proposal.

(b) set heads of consideration for design which must be addressed in any subdivision application and/or Environmental Review

Yes

The EA has adequately addressed the various considerations set out in the DCP.

(c) establish principles to be applied which will

Noted

determine the density achievable in any area zoned 1(c)

(d) identify development constraints applying to the land and locate development areas taking into account such constraints	Yes	Refer comment above at (a).
(e) provide protection for environmentally sensitive areas such as wetlands, rainforest, closed canopy forest and other significant areas of native vegetation, steep land, watercourses, drainage lines, areas prone to flooding or erosion and aboriginal archaeological relics	Yes	The development concept plan has generally recognised and protected significant environmental and landscape features across the site – the knoll in the centre of the site, ridgelines, drainage lines and watercourses, existing vegetation including EEC's and the Bevia Wetland.
(f) encourage retention of trees generally and preserve prominent ridgelines and other scenic areas in their natural state to protect the visual amenity	Yes	As above
(g) promote replanting, with indigenous species on currently cleared ridges and other scenically significant areas	Yes	The Statement of Commitments confirms the Proponent's intention to undertake bush regeneration works within the conservation areas and ecological corridors.
(h) determine access and service requirements	Yes	A Services and Infrastructure Report accompanies the EA and details the extent of augmentation works required to accommodate the additional demand generated by the proposed development.
(i) further the aims and objectives of the Rural LEP	Yes	Refer discussion in Appendix B under Eurobodalla Rural LEP 1987.

Clause 4 Subdivision Design

Subdivision designs in the Rural 1(c) zone should:

(a) maximise retention of native vegetation	Yes	The site has been largely cleared consistent with its use for agricultural purposes. Notwithstanding, the ecological survey of the site has identified two endangered ecological communities (not located on Rural 1(c) land), both of which will be retained and enhanced through revegetation as part of the proposed development.
(b) minimise potential for erosion, sedimentation and contamination of watercourses	Noted	No earthworks are proposed as part of this application. All such works will be the subject of separate applications made to Council, which will address the issues of erosion, sediment control and contamination.
(c) avoid intrusion of development on visually significant ridges, hill slopes, drainage lines and other environmentally sensitive areas	Yes	The ridgelines have been preserved and will not be built upon. No development will be permitted within identified riparian zones or on other sensitive land associated with the SEPP 14 Bevia Wetland.
(d) provide opportunity for the location of dwelling houses in sympathy with the capability of the land	Yes	The concept plan is the result of comprehensive mapping and analysis of site constraints.
(e) provide a mix of lot sizes	Yes	The concept plan will result in a range of lot sizes as follows:

- southern precinct 450 – 1600sqm
- central area 450 – 1750sqm
- northern precinct 750 – 8,550sqm

(f) provide safe, practical and environmentally compatible vehicular access

Yes

The conceptual road network has been designed to provide a hierarchy of access. The primary spine road running through the site will intersect with George Bass Drive adjacent to the STP in the south and at Bevan Road in the north. Detailed road and intersection design will be the subject of future applications to Council.

(g) ensure compatibility with existing and future surrounding development.

Yes

As indicated previously, the larger lots have been arranged around the perimeter of the site where it interfaces with adjoining Rural 1(c) land. Furthermore, draft Design Guidelines have been submitted as part of EA documentation which will ultimately be used to guide the future design of built form. It is anticipated that the Design Guidelines will be agreed with Council in their final form and adopted as a site specific DCP.

Clause 4.2 Lot Sizes and Subdivision Density

For areas where specific constraints maps are yet to be determined, lots created should have an average area of 2ha or more in order to maintain the "semi rural character" of land zoned Rural Small Holdings.

The average lot size principle is used to protect environmentally sensitive areas from the effects of development without unduly restricting the overall development potential of the land. The average lot size may be achieved either by intermingling of several different lot sizes within the subdivision according to environmental constraints or by the clustering of smaller lots in either one or several areas to protect larger environmentally sensitive areas elsewhere on the land.

No

The area of the site affected by the provisions of the DCP is proposed to be subdivided into 26 lots, ranging in size between 558sqm and 3,665sqm, however the larger lots are located along the property boundary where it interfaces with adjoining Rural 1(c) zoned land.

The average lot size achieved in this area is 1,642sqm

Council has examined the proposal and has confirmed in principle support for the range of proposed lot sizes.

Lots less than 5,000sqm or the re-subdivision of environmentally sensitive land will not be permitted.

Clause 4.3 Identification of Development Envelope

A development envelope should be nominated on each proposed lot

Noted

It is anticipated that this information will be submitted to Council as part of any subsequent applications for subdivision and/or built form.

Clause 4.4 Access

All development should have access demonstrated to be practical and continually trafficable.

Noted

All roads will be the subject of future applications to Council and will be designed and constructed in accordance with the relevant AS and council's specific requirements.

Where land has a frontage to arterial or other major roads it is essential that the number of access

Noted

Two new points of access from George Bass Drive are proposed to service the future

points to those roads be kept to a minimum.

development, the first is located adjacent to Council's STP on the eastern side of the Bevia Wetland, in accordance with Council's preference and consistent with the provisions of DCP 160 Rosedale Expansion Area and is known as the Southern Access Road. The second or Northern Access Road is proposed to be via the upgrading of Bevia Road, providing an upgraded intersection on George Bass Drive, which is approximately 1.2km metres to the north of the intersection of George Bass Drive and Rosedale Parade.

All internal roads should be designed and constructed to Council's requirements.	Noted	All roads will be the subject of future applications to Council and will be designed and constructed in accordance with the relevant Australian Standards and council's specific requirements.
		The existing Rural / Residential subdivision at Barlings Drive provides no opportunity for the creation of a physical connection to the proposed development.
Any application for subdivision should address access to and probable development of adjoining land.	Yes	Other connections to the wider area will be available via the proposed southern access road which will provide direct access to Barlings Beach; and the northern access road (Bevia Road) which will afford access to the settlements at Rosedale Beach and Malua Bay.
		A connection to Burri Road will also be facilitated through the upgrading of Bevia Road at the northern end of the site.
Subdividers should be aware that under S94 contributions for lead-in road upgrading are applicable.	Noted	Council has provided written confirmation that S94 contributions will be determined at development application stage.

Clause 4.5 Service Levels

Requirements for provision of utility services will be subject to individual assessment.	Noted	This has been included in the requirements for additional investigations being undertaken and further detailed information being prepared are recommended as part of the development assessment requirements for any subsequent project or development applications associated with the Concept Plan.
As a condition of subdivision consent developers will be required to comply with the requirements of Illawarra Electricity.	Noted	As above.
Subdividers should note that under S94 contributions for the provision of open space, community facilities, fire protection, waste disposal and in some instances water headworks will apply.	Noted	Council has provided written confirmation that S94 contributions will be determined at development application stage.

Clause 4.6 No Development Areas

No development area means land that for reason of excessive slope, significant vegetation, proximity to drainage lines, erosion instability hazard and/or	Noted	No such areas have been identified on the land to which this application applies that is affected
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identified as a buffer zone, may form part of an allotment or allotments but may not be built upon or cleared.

by the provisions of this DCP.

South Coast Regional Strategy 2006	Comply	Consideration
Aims of the Strategy		
Protect high value environments including pristine coastal lakes, estuaries, aquifers, threatened species, vegetation communities and habitat corridors by ensuring that no new urban development occurs in these important areas and their catchments.	Yes	<p>The site has been identified as being appropriate for urban development for a number of years. Notwithstanding the current proposal:</p> <ul style="list-style-type: none"> retains significant areas of vegetation in the north eastern corner of the site; creates vegetation and habitat corridors East – West across the site (providing connections to the source of fresh water and adjacent areas of habitat); and seeks to implement a comprehensive water management plan which will ensure that the water quality of both the Bevan Wetland and Saltwater Creek will be maintained and improved.
Cater for a housing demand of up to 45,600 new dwellings by 2031 to accommodate an additional 60,000 people expected in the region over the next 25 years.	Yes	The realisation of the proposed development will yield 792 residential allotments which will contribute to meeting housing demand in the region.
Increase the amount of housing in existing centres to ensure the needs of future households are better met, in particular the needs of smaller households and an ageing population.	Yes	The site was identified by Council as being appropriate for urban expansion in 1987. This has subsequently been ratified by the NSW Government as part of the Sensitive Urban Lands Review in 2006. The subdivision concept makes provision for a wide range of allotment sizes which will ultimately accommodate different types of built form, thereby meeting the future needs of population in the region.
Prioritise and manage the release of future urban lands to ensure that new development occurs in and around existing well serviced centres and towns.	Yes	As above.
Use the recommendations of the Sensitive Urban Lands Panel to guide the finalisation of the development form and environmental management of the 17 "sensitive urban lands".	Yes	As above.
Manage the environmental impact of settlement by focusing new urban development in existing identified growth areas.	Yes	As above
Only consider additional development sites if it can be demonstrated that they satisfy the Sustainability Criteria.	Yes	The majority of the site has been identified for urban development. However a relatively small area in the south western corner is zoned Rural 1(c) – this has been assessed against the Sustainability Criteria (see below). In addition, Council has endorsed the inclusion of this additional land as part of the overall

development.		
No new towns or villages will be supported unless compelling reasons are presented and they can satisfy the Sustainability Criteria.	N/A	
No new rural residential zones will be supported unless as part of an agreed structure plan or settlement strategy.	N/A	The proposed development does not seek to create any new rural residential zones.
Ensure an adequate supply of land to support economic growth and provide capacity to accommodate a projected 25,800 new jobs, particularly in the areas of finance, administration, business services, health, aged care and tourism.	Yes	The subject site is acknowledged in Council's strategic planning documents (including the Urban Settlement Strategy) as being a key site within the LGA to contribute to housing supply and economic growth.
		Aboriginal heritage will be protected via a set of management procedures to be implemented throughout the development as confirmed in the Statement of Commitments.
Protect the cultural and Aboriginal heritage values and visual character of rural and coastal towns and villages and surrounding landscapes.	Yes	Topography and existing vegetation generally precludes expansive views of the site. It is acknowledged that parts of the northern area of the site (where a "rural", less dense type of development is proposed) will be visible from more distant locales including Broulee Island to the south. It is anticipated that the visual impact of the development when viewed from this distant locations will be within reasonable limits by virtue of the domestic scale (max 2 storeys) and relatively less dense nature of the development, combined with the controls which will be imposed on landscape treatment in both the public and private domain (as detailed in the draft Urban Design Guidelines).

Sensitive Urban Lands Review Findings

1a Suitability of Site	Western portion considered mostly suitable for urban development in view of the past land clearing and farming.	The Concept Plan has been designed to protect the riparian corridors and enhance water quality entering the SEPP 14 Wetland and Saltwater Creek using a comprehensive Water Sensitive Urban Design Strategy which will be implemented throughout the course of the development.
	North-eastern portion – limited development could occur in this area outside the identified habitat corridor, provided there is early revegetation of generous corridors adjacent to previously cleared areas along creeks and other riparian areas. Limited clearing of forest could be permitted provided early riparian revegetation and restoration occurs.	
	Detailed site planning should place a high priority on protection of riparian zones and SEPP 14 wetlands through best practice stormwater management, and early revegetation of riparian areas for ecological and visual benefits.	The Water Management Plan includes a number of elements: <ul style="list-style-type: none"> • rainwater tanks will be installed to each dwelling • bio-retention rain gardens in selected locations to infiltrate, treat and slow down runoff • bio-retention swales located adjacent to roads • gross pollutant traps to remove sediment, debris, organic matter and

		<p>litter</p> <ul style="list-style-type: none"> rehabilitation of riparian corridors and wetland buffers to stabilise banks and provide improved habitat value
1b Scale and type of land release	<p>Residential development should aim to achieve a range of housing types to meet demographic change, with a higher overall yield than traditionally achieved in adjoining areas, to make better use of land resources and utility services.</p> <p>Site planning should ensure visual separation between Barlings Beach and Rosedale and along George Bass Drive between Tomakin and Rosedale North, in line with Council's objectives under the Eurobodalla Urban Settlement Strategy.</p>	<p>The Concept Plan will facilitate the development of a range of housing types and sizes. It is noted that the Panel report suggests that the subject site (together with the adjoining site to the north east owned by Edwards and also the subject of a Major Project Application MP06_0086), will yield approximately 1100 lots.</p> <p>The cumulative environmental, physical and ecological constraints on the subject site are such that only 792 lots can be achieved.</p>
2 Priority and timing	<p>Development should be staged according to market conditions.</p> <p>Discussions should be held with the landowners about a planning agreement that guarantees the revegetation of the riparian corridors as a high priority.</p>	<p>A draft Staging Plan has been submitted as part of the EA documentation which shows a progressive development from north to south, with a development horizon of some 10 – 15 years.</p> <p>It is reasonable to expect that the land will be developed in line with market demand.</p> <p>An undertaking to commence revegetation of the riparian corridors forms part of the Statement of Commitments.</p>
3 Alternate land uses	<p>Environmental conservation zoning using the new Zone E2 Environmental Conservation under the standard instrument for LEPs should be considered for riparian corridors, wetlands and areas containing endangered ecological communities.</p>	<p>This is a matter for Council.</p>

Appendix 1 Sustainability Criteria

Assessment of Land Zoned Rural 1(c)

Comply Comment

1. Infrastructure Provision

Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way.

Yes

The proposed development is generally consistent with the South Coast Regional Strategy and does not contradict any Section 117 Directions.

As indicated previously in this assessment, the majority of the subject site was identified for urban expansion in 1987 and provision has been made accordingly by Council and other utility supply authorities to accommodate additional demand generated by its ultimate development for residential purposes.

2. Access	Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided	Yes	The Concept Plan road network that will service the future development has been designed to be "public transport ready" and will be suitable for a bus service, with bus stops within reasonable walking distance (approx. 400m) of any dwelling.
3. Housing Diversity	Provide a range of housing choices to ensure a broad population can be housed	Yes	<p>In addition, the Concept Plan incorporates a network of pedestrian paths / cycleways which provides alternative means of access throughout the site.</p> <p>The site is located approximately 18km from Moruya and 20km from Batemans Bay where regional services and facilities are available.</p> <p>The ultimate realisation of the concept subdivision will result in a variety of allotment sizes which will in turn, accommodate a range of housing typologies. Furthermore, it will contribute to the geographic market spread of housing supply and will also contribute to meeting housing targets in the region as identified in the South Coast Strategy.</p>
4. Employment Lands	Provide regional / local employment opportunities to support the South Coast's expanding role in the wider regional and NSW economies	Yes	<p>During the construction phase the proposed development will generate employment. Notwithstanding, the ultimate residential development enjoys reasonable proximity to existing and future employment centres.</p> <p>The land is not flood prone.</p>
5. Avoidance of Risk	Land use conflicts, and risk to human health and life avoided	Yes	<p>Whilst some isolated parts of the site are subject to slopes in excess of 25%, the subdivision concept has been designed to ensure that the proposed allotments in these steeper areas can provide an appropriate building zone.</p> <p>The concept proposal has been reviewed by the Rural Fire Service and the bushfire risk has been found to be appropriately managed.</p>
6. Natural Resources	Natural resource limits not exceeded / environmental footprint minimises	Yes	<p>Council is the water supply authority and has confirmed that potable water can be provided to service the proposed development.</p> <p>The land was previously used for agricultural purposes (grazing) but has not been identified as a significant resource.</p> <p>The land does not constitute productive resource lands (extractive industry, fishing or forestry).</p> <p>The local energy supply authority has</p>

		confirmed that power is available to the site and that future residential development can be accommodated with the appropriate augmentation works.
		The Concept Plan maintains and enhances significant vegetation communities; habitat; threatened species and ecological communities.
7. Environmental Protection Protect and enhance biodiversity, air quality, heritage and waterway health	Yes	A comprehensive WSUD Strategy will be implemented as part of the future development of the site which will ensure that the quantity and quality of water flowing to the Wetland and Saltwater Creek is of an appropriate standard. Appropriate strategies are proposed to be implemented to manage Aboriginal Heritage (refer Statement of Commitments).
8. Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible	Yes	The proposed development will attract Contributions towards public infrastructure and communities facilities. In correspondence to the Proponent dated 9 October 2007 Council confirmed that it is Council's practice to collect S94 contributions at the time of subdivision certificate, provided any Concept Application approval issued in respect of this application requires that development contributions are to be levied on the development, Council will support the deferral of the determination of contributions until the development stage. It is noted that the development will also be the subject of a levy under the provisions of section 64 of the Local Government Act 1993 and section 302 of the Water Management Act 2000 for the augmentation of Council's water and sewerage works.

Eurobodalla Settlement Strategy	Comply	Comment
Balance urban growth within ecological, natural resource and servicing constraints,	Yes	The physical constraints presented by the site have been the subject of detailed analysis by Council, the Independent Panel (Sensitive Urban Lands Review) and the Proponent. This analysis has determined the extent of the developable area which is in turn, reflected in the Concept Plan.
Strengthen the role of the major centres of Batemans Bay, Moruya and Narooma and reinforce the existing commercial hierarchy to ensure that neighbourhoods are centred around services and civic facilities,	Yes	The Concept Plan will facilitate the redevelopment of the site for residential purposes. The additional population generated by the development may reasonably be expected to contribute to the economic viability of the major centres in this region. The Concept Plan makes provision for some retail / commercial floor space (approx. 1100sqm) to meet the daily convenience needs of the future residents. It is not envisaged that this quantum of development would compromise the function of the higher order centres in the region.
Restrict commercial development outside of settlement centres, except where land has been identified for such uses and servicing plans are in place,	Yes	As above. Furthermore, Council's DCP 160 – Rosedale Urban Expansion Zone contemplates the provision of a limited amount (in the order of 1500sqm) of retail / commercial floor space.
Provide opportunities for greater diversity in retail and commercial businesses by supporting active and vibrant town and village centres and protecting the viability and safety of main streets,	Noted	As above.
Protect and manage change so that the character and identity of our settlements is retained,	Yes	The proposed development is consistent with Council's and the NSW Government's strategies for urban expansion in this region.
Consolidate growth in existing urban and rural residential areas to prevent new unsustainable settlement patterns developing, such as ribbon development	Yes	Council identified the subject site as being suitable for urban expansion in 1987. This has been confirmed by the findings of the Sensitive Urban Lands Review in 2006.
Limit coastal sprawl and maintain separation between settlements,	Yes	As above.
Provide efficient infrastructure and services by managing land release and development fronts to ensure orderly and economic development,	Yes	As indicated previously in this assessment, the majority of the subject site was identified for urban expansion in 1987 and provision has been made accordingly by Council and other utility supply authorities to accommodate additional demand generated by its ultimate development for residential purposes.
Facilitate community economic development and protect existing commerce and industry,	Yes	The ultimate development of the site can reasonably be expected to make a positive contribution to the local and regional economies by introducing additional demand for services and facilities.

		During its construction phase, the proposed development will also generate local employment opportunities in the building industry.
Protect and enhance the cultural, social, heritage, ecological and visual characteristics of each locality,	Yes	The topography of the site and existing vegetation both around and on the site creates a series of viewsheds within which the development will occur. The subject site is not highly visible from adjoining areas – only segments of the development will be visible from the limited number of vantage points external to the site.
		An analysis of 2001 Census data for Eurobodalla reveals that 35% of new residents to the LGA were aged between 50 and 69 in 2001 and that this age group comprises 29% of the local resident population. These figures reflect a growing retirement community being attracted to this area.
Provide a greater range of housing choices to address the needs of various lifecycle stages and socio-economic categories,	Yes	<p>The imminent retirement of the baby boomer generation (the first baby boomer will turn 65 in July 2011) could be expected to have an impact on the demand for housing in locations such as Rosedale.</p> <p>Families are also attracted to the area because of the high level of amenity it provides.</p> <p>Rosedale has access to a range of services and facilities – district and regional shopping facilities, educational establishments, health services and aged care facilities.</p>
Improve access to and within settlements and at the same time respect the physical and social character of those settlements and safety for pedestrians and cyclists, and	Yes	<p>The Concept Plan road network that will service the future development has been designed to be “public transport ready” and will be suitable for a bus service, with bus stops within reasonable walking distance (approx. 400m) of any dwelling. At some point during the development of the site, critical mass will be achieved such that the population will warrant the extension of a bus service.</p> <p>In addition, the Concept Plan incorporates a network of pedestrian paths / cycleways which provides alternative means of access throughout the site.</p> <p>The site is located approximately 18km from Moruya and 20km from Batemans Bay where regional services and facilities are available.</p>
Preserve sensitive and valued environmental attributes and provide certainty to the community	Yes	The Concept Plan maintains and enhances significant vegetation communities; habitat;

by respecting values associated with adjoining bushland, the rural landscape, natural ecosystems, tourism uses and agricultural activities.

threatened species and ecological communities that have been identified on the site.

A comprehensive WSUD Strategy will be implemented as part of the future development of the site which will ensure that the quantity and quality of water flowing to the Wetland and Saltwater Creek is of an appropriate standard.

5.1 Urban Settlement Hierarchy

All new major public facilities, commercial, retail and employment generating developments are to be located in major towns to make best use of existing economic, service and social infrastructure and to reinforce the viability and vitality of those towns

Yes

The Concept Plan will facilitate the redevelopment of the site for residential purposes. The additional population generated by the development may reasonably be expected to contribute to the economic viability of the major centres in this region.

The Concept Plan makes provision for some retail / commercial floor space (approx. 1100sqm) to meet the daily convenience needs of the future residents. It is not envisaged that this quantum of development would compromise the function of the higher order centres in the region.

The creation of continuous linear development along the coast is prevented through land use zoning that enforces separation between settlements

Yes

The majority of the site has been zoned for Urban Expansion since 1987.

Encourage compact urban settlements to ensure efficient and equitable access to services and the evolution of alternative modes of transport

Yes

As indicated above, the Concept Plan road network has been designed to be "public transport ready" and will be suitable for a bus service, with bus stops within reasonable walking distance (approx. 400m) of any dwelling.

As additional population occupies the site the demand for additional or an extension of public transport services will increase, ultimately resulting in a better level of service to the existing urban areas of Guerilla Bay, Rosedale and Barlings Beach.

Manage new development so that the existing settlement hierarchy is retained, having regard to the effects of development of greenfields urban areas and development of commercial services

Yes

Council identified the site as being appropriate for urban expansion in 1987. This was subsequently ratified by the Independent Panel review of Sensitive Urban Lands in 2006.

Furthermore, the development of the site for residential purposes is consistent with the South Coast Regional Strategy.

Settlement character is recognised and development controls are implemented to ensure that new development, including subdivision, respects and reinforces that character

Yes

The overall character of the development is espoused as being reflective of the South Coast. The architecture will comprise simple building volumes which sit within an informal landscape setting of naturalistically clustered

trees and swales. By carefully controlling the elements, it will provide certainty that the vision is achieved over time.

The Concept Plan is accompanied by a set of Draft Urban Design Guidelines which have been prepared to guide the detail of future development on the site to ensure that the character of the development is realised.

Whilst approval is not sought for the Guidelines as part of this application it is envisaged that they will be the subject of detailed discussion and negotiation with Council and may ultimately be adopted as a site specific DCP.

5.2 Urban Settlement Boundaries

New development respects and complements the scenic setting and unique character of existing settlements	Yes	As indicated previously in this submission, the topography and existing vegetation on and around the site creates a series of discrete viewsheds, which ensures that future development will only be viewed in segments and will therefore not dominate the local landscape and the character of existing settlements.
Settlement boundaries are maintained and outward expansion restricted to designated urban zones	Yes	The site was identified for urban expansion in 1987.
More intense land uses are located centrally within settlements and in new development respects and complements the scenic setting and unique character of existing settlements and in proximity to services	Yes	The most dense development envisaged in the Concept Plan will occur in the southern part of the site, where a limited range of retail / commercial uses will be located. The backdrop to this area will be the Wetland to the south, whilst the northern edge of this precinct is defined by the ridge that runs east – west across the site and includes the Knoll.
Separation between settlements is maintained and secured through appropriate land use zones	Noted	Council is responsible for the zoning and ultimate pattern of development.
Adequate setbacks to environmentally sensitive areas are established to ensure ecological integrity and access to public open space is retained	Yes	The configuration and extent of buffer zones and riparian corridors have been determined in consultation with officers of DECC and DWE.
Land zoned as public open space is located where it enhances access to the foreshore or bushland, and where it is important as a backdrop to the settlement	Yes	Council will apply appropriate open space zonings under its new LEP (to be prepared in accordance with the NSW Government's Standard LEP template) to protect land identified in the Concept Plan as conservation areas, riparian zones and other open spaces.

5.3 Residential Land

Ensure that land sited for future urban development is located so that it can be adequately serviced with reticulated water, sewer, stormwater disposal and roads in accordance with development servicing plans	Yes	As indicated previously in this assessment, the majority of the subject site was identified for urban expansion in 1987 and provision has been made accordingly by Council (the authority responsible for sewer, water and stormwater) and other utility supply authorities to accommodate additional demand generated by its ultimate development for residential
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All vacant greenfields urban land is to be subject to SEA to determine the suitability of the land for development	Yes	<p>purposes.</p> <p>Council's submission to the Sensitive Urban Lands Review in 2006 included an Environmental Constraints analysis which was used to determine the environmental capacity of the site.</p> <p>Subsequent detailed analysis undertaken by the Proponent has further defined and refined the extent of developable area, taking into consideration the physical and environmental constraints.</p>
Medium density development is to be located in areas where existing housing stock is obsolete and / or in close proximity to commercial centres	Noted	The Concept Plan does not contemplate any form of integrated housing development or medium density development.
The layout and lot sizes of greenfields subdivisions are to reflect the character of the existing adjoining settlement	Yes	<p>The Concept Plan responds to the topography and other physical and environmental constraints to create a subdivision which incorporates a range of lot sizes. The ultimate character of the development will be determined by the treatment of the public domain and the built form controls all of which will be the subject of future applications to Council.</p>
Action SP 18		
Apply appropriate land use zones to land zoned Urban Expansion in the new LEP in accordance with structure plans for Batemans Bay, Moruya and Narooma and with the findings of the independent panel's review of sensitive urban lands (as endorsed within the South Coast Regional Strategy)	Yes	<p>The land is zoned to accommodate urban development, however it is anticipated that Council will apply appropriate residential and environmental protection zonings under its new LEP to be prepared in accordance with the NSW Government's Standard LEP template. It is understood that the LEP is currently being prepared and that Council anticipates that it will be placed on public exhibition some time in 2009 / 2010.</p>
Action SP 19		
Apply minimum lots sizes to land zoned Urban Expansion as follows: Rosedale 1200 square metres	Yes	<p>A range of lots sizes is proposed, as follows:</p> <p>Northern "Country" Zone 750 – 8550sqm Central Zone 450 – 1750sqm Southern Zone 450 – 1600sqm</p> <p>This translates to an average lot size of approximately 1500sqm, calculated over the 126ha of developable area.</p>

NSW Coastal Policy and Coastal Design Guidelines

Principle	Comply	Comment
Defining the footprint and boundary of the settlement to establish its outer limits to protect the important visual and natural setting.	Yes	The developable area identified in the EA is based on a detailed analysis of the ecological, topographical and other natural opportunities and constraints. It preserves view corridors and natural vegetation which creates a high degree of visual amenity. Conservation areas, regenerated and revegetated riparian zones and areas of open space are provided to create amenity and improve the ecological function.
Connecting open spaces to create recreation, conservation, public access, cultural and heritage opportunities in and around the settlement.	Yes	The developable area has been defined by the physical constraints imposed by vegetation, drainage and topography which results in 3 discrete neighbourhoods. Two east – west corridors which comprise riparian zones and the central ridgeline incorporating the Knoll will be linked by a north-south open space corridor which will incorporate walking trails. The open space network will also provide the basis for a water sensitive urban design system designed to maintain water flows and maintain or improve water quality across the site.
Protecting the natural edges of the settlement in recognition that the coast edge is protected as a public place, with public access and ecological values including mitigating the impacts of natural hazards.	Yes	The proposed development does not interface directly with the coast. Notwithstanding, the protection of the coastal environment has been factored into the WSUD system – ensuring that runoff from the site is of adequate quality to protect aquatic ecosystems (particularly the ICOLL and Bevan Wetland).
Reinforcing the street pattern to highlight how streets enliven centres, connect important places within and around the settlement, allow for improved choice when moving from place to place and provide commercial and social benefits.	Yes	The Concept Plan has been based on the principles of traditional neighbourhood design and will be serviced by a spine road which provides a north-south connection through the site. The road network has been designed to be "public transport ready" through a neighbourhood structure that supports the provision of a public bus service. The subdivision concept is designed in accordance with "walkable neighbourhood" principles and an extensive network of pedestrian / cycle paths will facilitate alternative means of transport to private cars.
Appropriate buildings in a coastal context show how specific development relates to the site's natural features and to its location within the settlement.	Yes	The concept application does not seek approval for built form however the proponent has included a set of draft Urban Design Guidelines which will be used to guide future development on the site. It is anticipated that a revised form of the Guidelines may ultimately be adopted by Council as a site specific DCP. This will be the subject of a separate application to Council.

APPENDIX D: SUMMARY OF SUBMISSIONS

Comment	Number of times issue raised
1. Traffic	
• Concern at general increase in traffic and the likely impact on the local road network	3
• Concern that the Traffic Study gives no indication of when the data was collected, particularly because of the disparity between traffic volumes at "high" and "low" season.	9
• The Traffic Study does not adequately analyse the likely impact of the additional traffic generated by the proposed development on the performance of other intersections with George Bass Drive.	1
• Concern about deterioration of road surfaces in the locality as a result of additional traffic generated by the proposed development.	1
• Concern at noise impacts from increased traffic.	1
• Concern about the increased traffic on George Bass Drive as a result of the proposed development.	1
• Concern that the proposed development may necessitate road closures in the area.	1
• Concern about the wear and tear on the local road network.	1
• Concern about increased traffic on Burri Road.	2
• Concern at cumulative traffic impact of the proposal and other proposals in the vicinity (Barlings Beach and Rosedale Farm MP06_0038).	4
• Speed limit on George Bass Drive should be reduced.	2
• Concern that increased traffic volumes on George Bass Drive will result in increased potential for vehicle / pedestrian conflict (no footpath is currently available).	1
2. Access	
• Concern about the proximity of the proposed southern access road and the access to the Barlings Beach development.	6
• Concern about the location of the proposed intersection of southern access road with George Bass Drive – at the bottom of a hill, 100km/h speed limit, poor sightlines.	8
• Concern that in order to achieve adequate safety / minimum sight distances at the intersection of the proposed southern access road and George Bass Drive additional clearing of vegetation along the roadside and substantial earthworks would be required thereby adversely affecting the Wetland and existing vegetation.	4
• Option 2 is the preferred location for southern access road (or should at least be reconsidered).	14
• SEPP 14 requires feasible alternatives to be considered for the development (in this instance the location of the southern access road). The alternative access (Option 2) passes directly through EEC and into the low lying slopes of regenerating Redgum Open Woodland, Swamp Paperbark Heath and regenerating Swamp Oak Forest. On this basis, Option 2 is considered to be an unfeasible alternative for southern site access.	1

<ul style="list-style-type: none"> Concern that an insufficient number of alternative locations were considered / presented for the southern access road – also suggest that Thomsen Place (off Barling Road) could have been considered. 	1
<ul style="list-style-type: none"> The proposed location of the southern access road is contrary to Council's DCP 160. 	2
<ul style="list-style-type: none"> The proposed southern access road, as well as the possible alternatives described in the Environmental Assessment, do not adequately protect the ecological, scenic and environmental attributes of the Bevia Wetland and are therefore contrary to the overarching objectives of the 7a Environmental Protection (Wetlands) zone under the Eurobodalla LEP. 	1
<ul style="list-style-type: none"> Proposed width of the southern access road along the Bevia Road alignment (6.5m) is too narrow to accommodate peak hour traffic and buses. 	1
<ul style="list-style-type: none"> Concern about the proposed location of the northern access road, at the crest of a hill on George Bass Drive. 	1
<ul style="list-style-type: none"> Concern about additional traffic and demand for parking at the beach – no parking currently available. 	4
<ul style="list-style-type: none"> The additional traffic generated by the proposed development requires the creation of a new beach access and a properly managed parking area 	1
<ul style="list-style-type: none"> Concern that a number of the internal roads (especially in the Country Zone) cut across contours, resulting in steep gradients. 	2
<ul style="list-style-type: none"> Concern about the number of unnecessary roads within the proposed development. 	1
<ul style="list-style-type: none"> Concern that insufficient provision has been made for cycleways within the proposed development. 	2
<ul style="list-style-type: none"> Concern that the population generated by the proposed development requires a grade separated crossing (footbridge) over George Bass Drive to facilitate / encourage pedestrian access to the beach. 	1
3. Infrastructure	
<ul style="list-style-type: none"> Concern about the ability of existing infrastructure / services to accommodate additional demand generated by the proposed development. 	15
<ul style="list-style-type: none"> Particular concern is raised in relation to additional strain on health and medical services / facilities. 	14
<ul style="list-style-type: none"> Concern about the ability of existing education services / facilities to accommodate the additional demand generated by the proposed development 	2
<ul style="list-style-type: none"> Lack of public transport facilities increases reliance on private vehicles. 	1
4. Subdivision Design / Urban Design / Lot Sizes / Density	
<ul style="list-style-type: none"> Concern that the commercial / retail precinct and the community centre should be more centrally located to improve walkability and reduce reliance on private vehicles. 	3
<ul style="list-style-type: none"> Raises concern about the creation of small lots on steep land at the southern end of the site. Also raises concern about the subdivision of some of the land zoned 1c Rural (SW corner of the site) and suggests that it should not be disturbed. 	1
<ul style="list-style-type: none"> Concern that street verges are of insufficient width to accommodate planting of medium – large street tree species, recommends minimum 4m. 	1
<ul style="list-style-type: none"> Lot sizes are smaller than adjacent blocks and are not consistent with surrounding areas. 	1

<ul style="list-style-type: none"> Proposed lot sizes do not comply with the <i>Eurobodalla Settlement Strategy</i>. Action SP19 applies a minimum lot size of 1200sqm to the Rosedale Urban Expansion Area. The intention was to ensure that development of Urban Expansion land would be compatible with the 2ec Residential – Environmental Constraints zoning and the character of the existing settlement of Rosedale. 	2
<ul style="list-style-type: none"> The south western corner of the site is zoned 1c Rural Small Holdings where a minimum lot size of greater than 1 or 2 ha applies, depending on environmental constraints, existing development and proximity to an urban centre. Council's <i>Interim Policy – Minimum Lot Sizes for Rural Residential Land</i> allows lots to be developed to a minimum of 5000sqm where the land adjoins an urban area; subject to certain criteria (this is consistent with SP27 of the <i>Urban Settlement Strategy</i> which also adopts the 5000sqm minimum lot size. The proposed 26 lots in this area do not comply (ranging in size between 558sqm and 3665sqm, with an average of 1624sqm). The documentation does not adequately address nor justify this departure and the inability of the proposal to satisfy the criteria of Council's <i>Interim Policy for Rural Residential Land</i>. 	1
<ul style="list-style-type: none"> General concern about the scale and density of development. Broad consensus appears to be that the yield should be halved (400 – 500 lots) in order to achieve a more sustainable development. 	8
5. Environment	
<ul style="list-style-type: none"> General concern about impact of the development on adjacent wetland, beaches, flora and fauna both during construction and occupation. 	11
<ul style="list-style-type: none"> Concern about the proximity of the proposed commercial / retail centre to the Wetlands – potential for rubbish, run off 	1
<ul style="list-style-type: none"> Concern about the boardwalk traversing the Wetlands – rubbish, noise, general degradation. 	4
<ul style="list-style-type: none"> Recommend that the proposed boardwalk should be relocated to the eastern side of the wetland. 	3
<ul style="list-style-type: none"> Concern about the proximity of the development to drainage lines feeding the Wetland and the impact of the proposed development generally on water quality in the Wetland. Requests ongoing monitoring both during construction and post development. 	10
<ul style="list-style-type: none"> Concern about proposed location of the southern access road and its proximity to (and resultant impacts on) the Wetland – noted that the 50m buffer zone around the Wetland is breached by the southern access road. 	10
<ul style="list-style-type: none"> Concern about the impact of development on the water quality in Saltwater Creek. Requests ongoing monitoring both during construction and post development. 	3
<ul style="list-style-type: none"> Challenges the Category 3 classification of the streams feeding Saltwater Creek – believes that they should be Category 1. 	1
<ul style="list-style-type: none"> The 50m buffer proposed to the Wetland is inadequate and should be increased to 100m measured from the top of the bank, consistent with the Department of Natural Resources <i>Strategic Assessment of Riparian Corridors</i> which requires a total buffer of 100m to Category 1 waterways. 	1
<ul style="list-style-type: none"> General concern about the adequacy of the buffer to the Wetland 	1
<ul style="list-style-type: none"> Concern about the cumulative impact of proposed development and the Rosedale Farm development (MP06_0038) on the water quality of both the Wetland and Saltwater Creek – seeking an undertaking from the Proponent to an integrated approach to water management to ensure a smooth ecological transition across cadastral boundaries. 	1

- Concern about the acceptance of "pinch points" where the extent of the riparian zone is reduced in instances where the adjacent APZ is landscaped to replace the riparian functions – queries validity given the APZs are required to carry a low fuel load which cannot infer riparian functionality. 1
- Concern that the widening / upgrading of Bevia Road will disrupt wildlife, remove habitat trees and nesting sites – alternative location is required. 1
- Narrow drainage line in the north western corner of the site should be reserved and incorporated in the open space network – inappropriate for residential development. 1
- The dam walls in the Country Zone should be raised to assist in water retention, reducing erosion, increasing habitat resilience, improving water quality and create more viably sized bodies of water better able to withstand drought. 1
- EPZs are unviably small – the linkage between E2.4 and E2.5 should extend from the western to the eastern boundary, similar to the riparian corridor in the northern part of the site. 1
- Concerned that the vegetation / wildlife corridor running along the ridgetop east-west is too narrow and does not extend all the way across the site to the western boundary. 3
- Concerned that Bevia Road should be retained as a recreation path (ie. the southern access road should be relocated) as the adjacent hedgerow vegetation provides important habitat for bird species and its aesthetic and scientific value has not been recognised. 1
- Professional weed control is required both during construction and post development to maintain the integrity of the natural vegetation communities. 1
- A wildlife easement should be provided along the entire length of the western property boundary to facilitate movement of fauna between the State Forest and surrounding areas. 1
- General concern about the adequacy of the wildlife corridors – supplementary native planting is required along both the eastern and western boundaries of the site to provide connections to / from the State Forest and Burrawang property. 1
- Concern about the impact of the development (and the cumulative impact when nearby developments are taken into consideration) on the Tomakin STP effluent outfall into the Batemans Marine Park at Long Nose Point. Requests baseline data collection of existing water quality at the outfall and then ongoing monitoring throughout the development phase. 2
- Concern about the possibility of private or community bores being allowed and the resultant impacts on the Wetland and surrounding ecosystems. 1
- Concern about development on slopes exceeding 33%, and assertion that there is no policy basis to support the development of land with slopes exceeding 25%. 1
- Concerned that the development does not demonstrate a high degree of sustainability – failure to mandate on-site energy production / solar heating / sewage disposal etc. 1

6. Amenity	
<ul style="list-style-type: none"> General concern about a development of this size and its resultant population eroding the high level of amenity currently enjoyed by local residents. Also expressed in terms of the development being out of character with the existing low density, low key development in the area. 	7
<ul style="list-style-type: none"> Loss of outlook and amenity, in particular noise and privacy. 	1
<ul style="list-style-type: none"> Concern about the impacts associated with the commercial / retail facilities, in particular noise, clutter and resultant loss of amenity 	1
<ul style="list-style-type: none"> Concern about the impact of noise both during the construction phase and post development on both existing residents in the area and on the Wetland. Seeks restrictions on construction hours. 	3
7. Bushfire Risk	
<ul style="list-style-type: none"> Concern about bushfire management, specifically that no residential lots should be allowed either west of the westernmost Park Edge Road or north of the northernmost road in the Country Zone. 	1
<ul style="list-style-type: none"> Concern about bushfire in the Wetland (cites anecdotal evidence of prior incidence) and public safety issues arising from increased population in the event of a fire. 	1
<ul style="list-style-type: none"> Concern that the APZs are insufficient, with particular concern being expressed about the steep land in the south western corner of the site where residential development is proposed. 	1
<ul style="list-style-type: none"> Concern that the north western corner of the site should not be redeveloped (reference DCP 160) due to its scenic value, steep slopes and associated bushfire risk. 	1
<ul style="list-style-type: none"> Concern that the northern ridge also includes slopes in excess of 33%, is heavily vegetated and is in close proximity to the State Forest, giving rise to concern about the bushfire risk. 	1
<ul style="list-style-type: none"> Concern about the adequacy of easements / buffers around the boundary of the site, particularly in the area adjacent to the State Forest. 	1
<ul style="list-style-type: none"> Concern that additional population will increase bushfire risk. 	1
8. Visual Impact	
<ul style="list-style-type: none"> Concern expressed that the visual assessment that accompanies the EA is inadequate and dismisses the visual significance of the site, the Eurobodalla National park and other public foreshore places. 	1
<ul style="list-style-type: none"> The cleared slopes of the site are visible from Tuross Head, North Broulee Beach, Broulee Island, Moruya Heads, Pedro Point and Congo as well as from the ocean. As a consequence, the visual assessment should address the impact of the development when viewed from these locations. 	4
<ul style="list-style-type: none"> Concern expressed that the visual impact of development on the northern ridge (which at 85m is higher than the "knoll" (70m)). The ridge is visible from Rosedale, Guerilla Bay, Barlings Beach, Broulee Island, Moruya Heads and Tuross Heads as well as from the ocean. No development should be permitted on the high point of the site. 	1
<ul style="list-style-type: none"> Another knoll located approximately 220m east of the main knoll, together with the saddle in between should be preserved and incorporated into a larger area of public open space to lessen the overall visual impact of the development. 	1

9. Social and Economic Impact	
• Concern that the proposed development may result in an increase in Council rates.	2
• The documentation does not provide an economic analysis of whether commercial / retail facilities are required or will be viable. This should be provided prior to any determination of the application.	1
• Concern that the proposed development will have an adverse impact of property values in the local area.	2
• Concern that the proposal does not make any provision for medium or low cost housing.	1
• Questions the validity of Marsim projection of 10-15 years for completion of the project when considered in tandem with other developments in the vicinity (Barlings Beach, Rosedale Farm) and particularly in terms of scheduling competing demands for construction materials and equipment, personnel, cumulative construction traffic and other environmental impacts.	1
10. Strategic Planning	
• Concern about the location of the proposed development – additional housing should be located in proximity to existing centres which provide access to employment, schools and other services. The existing policy framework (<i>Lower South Coast REP No. 2, South Coast Regional Strategy</i> and <i>Eurobodalla Settlement Strategy</i>) clearly directs substantial population growth to locations within existing settlements, or to areas immediately adjacent to existing settlements that have the capacity to provide the requisite range of services / infrastructure.	8
• The Proponent should be required to provide strategic justification for the proposal in light of the quantum of development approved under MP06_0038 (141 lot residential subdivision at Rosedale) and the recently commenced Barlings Beachside 200+ dwelling development as well as the possible future redevelopment of the Barlings Beach Caravan Park.	2
• The site is located adjacent to 3 isolated Hamlets (Guerilla Bay, Rosedale and Barlings Beach). As such the <i>Settlement Strategy</i> places a low priority on its release and development. The proposal, given the number of lots and its relationship to the Hamlets constitutes an inappropriate and sprawling urban development and a resultant loss of settlement type and character of the 3 existing Hamlets.	1
• Concern that approval of the proposed development will have implications for future zonings in the area.	1
11. Miscellaneous	
• Concern expressed that the name "Rosedale" should not be referenced in any way in relation to the development.	1
• The proponent should be required to make a contribution to the cost of enhancement of Barlings beach Aboriginal Place as future residents will benefit from this facility.	1