

LETTERS FROM GENERAL PUBLIC

No.	Date	Nature	Comment	Issue Summary
1	08.08.07	Object	<ul style="list-style-type: none"> Flood issues: <ul style="list-style-type: none"> Land and home would be directly affected by the 1% flood event. Raw sewerage inundation from pumping station (no 0505) if power was to fail during a flood event. Reeds in, on the banks of and on the low laying area adjacent of Frazers Creek may slow water flows accentuate flood levels. Impact on flood levels in combination with the proposed F6 extension. Concerned about increase in noise, traffic, pollution and natural habitat impact. 	<ul style="list-style-type: none"> Flooding Noise Traffic generation Pollution Nature conservation
2	21.08.07	Object	<ul style="list-style-type: none"> The Illawarra Highway currently floods with heavy rain. Drainage and run off from the proposed development into Frazers Creek will increase this flooding. When the Illawarra Highway floods traffic uses the Princes Hwy, Tongarra Rd and Station Rd which causes heavier vehicle flows than usual. Tongarra Station and Croom Roads are not suitable to accommodate increased traffic from this development in addition to increased housing in Albion Park and Tullimbar. Believes there is a lack of infrastructure to accommodate the business park. 	<ul style="list-style-type: none"> Flooding Traffic generation Infrastructure capacity
3	24.08.07	Object	<ul style="list-style-type: none"> One vehicle access point on Tongarra Road, near the crest of a hill, is not sufficient. Vehicle flow on Tongarra Road would be increased to an inappropriate degree. Raises concern regarding the amount of new and planned development in the area and funding additional infrastructure to accommodate these. Also disagrees with: <ul style="list-style-type: none"> The development of open space. Buildings at the end and to the north of the east-west runway due to aircraft safety and noise. Cut and fill land grading proposed. Drainage off site and impact on Tongarra Road and the Illawarra Highway. Assessment indicating the site will be able to operate relatively free of flood problems. Seeks the following works: <ul style="list-style-type: none"> Up-grade of Tongarra Road between Station Road and Albion Park Road to avoid flooding. The widening of Tongarra Road to increase capacity and traffic conditions in the area. Implementation of plans for the expressway extension and Township bypass. 	<ul style="list-style-type: none"> Access Traffic generation Loss of open space Infrastructure capacity Developer contributions Urban design Flooding
4	30.08.07	Object	<ul style="list-style-type: none"> Disagree with the following impacts of the proposed development: <ul style="list-style-type: none"> Increased noise and traffic. Environmental impacts such as biodiversity loss and air pollution, particularly with regards to pollution trapped in the Albion Park Valley from Port Kembla Steel Works. Impact on house prices. Disturbance of rural outlooks and amenity of properties. Impact on heritage significance and setting of Ravensthorpe. 	<ul style="list-style-type: none"> Amenity Traffic generation Nature conservation Heritage
5	27.08.07	Object	<ul style="list-style-type: none"> Proposed buildings are not sympathetic with the surrounding area. Do not agree with the inclusion of buildings 20 metres in height, particularly the types of employment uses such will be able to accommodate. Aesthetic and economic impact on Ravensthorpe Guesthouse and Restaurant will be unacceptable. Seek the following amendments: <ul style="list-style-type: none"> Exclusion of a Service Station due to 8 currently in the area. No 24 hour truck usage as these would need to travel through urban areas to access the site. A 100 metre buffer / curtilage be created around the Ravensthorpe property precinct to protect its amenity and heritage significance. The protection of the view corridor from Ravensthorpe to the west and north west to preserve the existing view of the escarpment. Landscaping to create a visual barrier around the site, screening the development from approaches to Albion Park from Illawarra Highway and Tongarra Road. Height limit of 7-10 metres on the southern end of the site and the siting of any 20 metre buildings to the north of the site. Only office development and accommodation (hotels, serviced apartments or motels) be permissible for the 20 metre buildings. 	<ul style="list-style-type: none"> Urban design Amenity Heritage View corridors Economic impact Landscaping Zoning
6	27.08.07	Object	<ul style="list-style-type: none"> Seek the preservation of a small area of land surrounding a remnant silo and three fig trees (between the airport runway and the wetlands) which is the former site of the original Wanalama/Marks Villa homestead. Suggest the creation of a community park to protect the heritage significance of the site and improve the amenity of the area. 	<ul style="list-style-type: none"> Heritage
7	30.08.07	Support	<ul style="list-style-type: none"> Delphin Lend Lease has control of 650 hectares of land in the Calderwood Valley approximately 2 kilometres west of the proposed business park. Shellharbour Council are preparing a LES for Calderwood as part of its comprehensive LEP. It is intended the site accommodate housing. Delfin Lend Lease support the proposal for the following reasons: <ul style="list-style-type: none"> The Business Park will provide a major new business and employment resource, including economic opportunity, in the Illawarra region. 	<ul style="list-style-type: none"> Employment generation Strategic location Environmental management

			<ul style="list-style-type: none"> ➤ The site is adjacent to the Albion Park Airport, which has been identified as an employment hub for the area. ➤ The site is of regional importance due to its strategic location in relation to the population centres in the Illawarra and the road, air and rail transport networks. ➤ The proposal will deliver the restoration of wetlands and conservation areas on the site and the provision of public access to these areas. ➤ The proposal implements objectives of the Illawarra Regional Strategy. ➤ The proposal provides common control of a substantial landholding. This ensures economies of scale, integrated planning, development, environmental outcomes and decreased risk. ➤ The proposal provides synergies with likely development of Lend Lease land holdings at Calderwood Valley. 	
8	30.08.07	Object	<ul style="list-style-type: none"> • Objects to the proposal for the following reasons: <ul style="list-style-type: none"> ➤ A total of 61 lots is excessive for the site. ➤ Existing flooding issues in the area will be worsened, particularly problems with Illawarra Highway. ➤ Increase traffic and noise. ➤ Detriment to the visual amenity and scenic quality of the area. ➤ Productive agricultural land should be maintained, especially in these times of drought and climate change. ➤ Wetlands on the site should be provided with greater protection. ➤ Impact on the conservation of the Ravensthorpe property and Juncas Rushland Wetlands. ➤ There is an existing business park in close proximity to the proposed development. 	<ul style="list-style-type: none"> • Urban design • Amenity • Flooding • Traffic generation • Noise • Heritage • Nature conservation • Economic impact
9	24.08.07	Object	<ul style="list-style-type: none"> • The proposal will detriment the visual amenity of the Ravensthorpe property. Buildings up to 20 metres in height will destroy views and overshadow the grounds of this property. • Construction impacts, such as noise, dust and traffic, will deter customers from the Ravensthorpe Guesthouse and Restaurant, particularly wedding reception facilities. • The completed development will compromise the long-term economic viability of the Ravensthorpe business. • Without the Ravensthorpe business the heritage listed property is likely to suffer decline. • There will be no control over the type of industrial premises are built on the site further to lots being sold. The site should not be rezoned for industrial use but rather more appropriate uses for the site would be business, commercial or tourism uses. • The development should not be allowed to proceed in its present form. 	<ul style="list-style-type: none"> • Amenity • Urban design • View corridors • Heritage • Construction impacts • Zoning • Economic impact
10	25.08.07			
11	25.08.07			
12	26.08.07			
13	27.08.07			
14	27.08.07			
15	27.08.07			
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24	31.09.07	Object	<p>Flooding</p> <ul style="list-style-type: none"> • Surface water currently travels through open drains and then flows into the rear of 34 Station Road before travelling towards Oak Flats. The proposed development will worsen this. <p>Visual impacts</p> <ul style="list-style-type: none"> • The proposal detriment the outlook and views of hundreds of homes. <p>Traffic</p> <ul style="list-style-type: none"> • Additional heavy vehicles will worsen air quality in the locality. Roads should be widened to disperse fumes additional traffic will cause. • Local Roads are incapable for accommodating the predicted traffic increase. Road need to be upgraded. • One access point via Tongarra Road is not sufficient. • The proposal should not proceed until access from the planned Illawarra Highway can be created. 	<ul style="list-style-type: none"> • Flooding • View corridors and outlook • Traffic and access
25	10.09.07	Object	<ul style="list-style-type: none"> • Owner/operator of Ravensthorpe. • Commissioned a Statement of Heritage Impact report. • Report concludes that the current proposal is likely to generate a number of negative impacts insofar as Ravensthorpe is concerned, including: <ul style="list-style-type: none"> ➤ Partial view loss; ➤ Intrusion on historically significant vistas, and; ➤ Activities incompatible with the rural setting of the homestead. • A minimum of 100 metre buffer zone at the rear boundary of Ravensthorpe should be applied to protect the property's views and vistas. • There should be no plantings in the buffer zone itself in order to retain the existing local landscape character of the site. • There could be potentially negative overshadowing on Ravensthorpe with the current proposed 3 metre buffer, building heights and ground levels. • The following impacts have been highlighted in the submission composed by planning consultants on behalf of Ravensthorpe property owners. <p>Heritage</p> <ul style="list-style-type: none"> • The heritage Assessment provided by the applicant does not review the heritage significance of Ravensthorpe. Any recommendations this report makes regarding mitigating impacts on Ravensthorpe are thus invalid. • The proposed mitigation measures seek to 'cocoon' Ravensthorpe with a screen of landscaping and buildings which will destroy the current rural setting, views and vistas and low scale density enjoyed by Ravensthorpe which are part of its heritage significance. 	<ul style="list-style-type: none"> • Heritage • Amenity • View corridors • Noise • Access • Traffic • Landscaping • Zoning

			<ul style="list-style-type: none"> • There is no assessment of the two workers cottages which adjoin the eastern boundary of Ravensthorpe. Further work should be carried out to ensure any potential heritage significance is identified and assessed as part of this application. • Further analysis needs to be undertaken by the applicant and the State Government to ensure the potential impacts on heritage significance of Ravensthorpe are effectively mitigated. <p>Height</p> <ul style="list-style-type: none"> • The height appears to have been merely extrapolated from the Obstacle Limitation Surface Plan for the adjoining airport. • The height limit does not take into account the site itself, its topographical features and constraints or respect adjoining land such as Ravensthorpe. • The height limit of 20 metres with a floor space ratio of 1:1 is questioned as it is unlikely this limit would be reached with such a low FSR. • Further studies need to be undertaken to determine maximum height limits across the site. <p>Landscaping</p> <ul style="list-style-type: none"> • As it has the potential to adversely impact on Ravensthorpe, further study and analysis should be undertaken to properly determine the height and type of landscaping to preclude it detracting from existing views and vistas. <p>Overshadowing</p> <ul style="list-style-type: none"> • Further study and analysis should be undertaken to ensure heights of buildings and their bulk is resolved to building envelope status to mitigate potential impacts from overshadowing. <p>Vehicular access</p> <ul style="list-style-type: none"> • Potential access from the Illawarra highway extension should be investigated. • The intersection of the Princes Highway/ Illawarra Highway needs to be upgraded for extra capacity. <p>Acoustic privacy</p> <ul style="list-style-type: none"> • The 2.4 metre high block work or hebel wall required to be built along the eastern boundary of Ravensthorpe to mitigate against potential noise impacts would have a detrimental impact on the heritage significance on Ravensthorpe. • Further study and analysis should be undertaken with regards to this issue. <p>Proposed planning controls</p> <ul style="list-style-type: none"> • The following revisions to the proposed SEPP amendment are recommended to ensure adequate safeguards to Ravensthorpe: <ul style="list-style-type: none"> ➤ A provision should be made to the planning instrument to incorporate the standard heritage impact requirements to adequately deal with the heritage significance of Ravensthorpe. ➤ Uses which would impact on Ravensthorpe should be specifically prohibited for its boundaries to eliminate the need for proposed mitigation works such as the 2.4 metre high acoustic fence. ➤ The 20 metre height limit should be reviewed and appropriate heights adopted which relate to the constraints and opportunities of the site itself and as they relate to Ravensthorpe. • The following amendments should be made to the Design Guidelines and Controls: <ul style="list-style-type: none"> ➤ There should be provisions included with respect to ensuring the protection of the heritage significance of Ravensthorpe. ➤ Height controls should be amended as referred to above, to ensure heights are appropriate to the site and locality and minimise impact to views, vistas and from overshadowing. ➤ Landscaping guidelines are inappropriate and indeterminate with respect to Ravensthorpe and should be revised and altered to reflect the heritage significance of the site. ➤ Hours of operation around the curtilage of Ravensthorpe should be limited to between the hours of 7am to 6pm Monday to Friday and 8am to 12noon Saturdays. ➤ Noise standards should be included with specific reference to the Protection of the Environment and Operations Act. ➤ There is a conflict with the rear setback controls which state they comply with the BCA which would allow a nil setback and the requirement for a minimum 2 metre wide landscape area to the rear boundary. This should be resolved to provide certainty. 	
26	10.09.07	Object	<ul style="list-style-type: none"> • Co-owner of Ravensthorpe. • Agree in principle to the rezoning of the site. • Proposal will have negative impact on Ravensthorpe property amenity, heritage significance and consequently the economic viability of the Guesthouse, Restaurant and function facilities business activities. • The application needs to be altered in order to protect the Heritage property and jobs of current and future employees. • Advocates recommendations of Heritage Impact Statement, further detail of which is included below. • Before the rezoning is determined the developers should provide further detailed reports and responses to concerns to ensure the full impact of the development is clear. <p>Visual Impact</p> <ul style="list-style-type: none"> • Visual impact to Ravensthorpe's current rural vistas and context major concern. The views and rural position are a major reason for the attractiveness of the business as a place to dine or to hold receptions. • View west and north west are fundamental concerns as weddings on the site are usually held in the front grounds of Ravensthorpe, which enjoys views across the plains to the escarpment. • The Heritage Impact Statement recommends an arch of vista within which no development should take place 	<ul style="list-style-type: none"> • Heritage • Traffic • Amenity • Noise • View corridors • Construction impacts • Zoning

			<ul style="list-style-type: none"> • Whilst the applicant has given assurance no development will occur at the western boundary of Ravensthorpe, it is requested that this area be formally excluded as potential development lands by being zoned as Environmental Management area. • Height limits stated in the Environmental Assessment are inconsistently stated (20, 25 and 26 metres). Consultation with Delmo has confirmed the height limit proposed to be 25 metres. A 6 metre height limit at the south west corner of the proposed Business Park would be more appropriate and greatly reduce the development's impact on Ravensthorpe. • 3 metres is not sufficient to support the plantings required for screening at this boundary. A minimum of 100 metre buffer zone at the rear boundary of Ravensthorpe should be applied to protect the property's views and vistas. • The Heritage Impact Statement recommends 100 metres would be more appropriate and recommends that plantings should be staggered in height and begin substantially distanced from Ravensthorpe's existing boundary to avoid trees overshadowing the building year round. <p>Noise</p> <ul style="list-style-type: none"> • Any noise impact on Ravensthorpe will be detrimental to the business. Particular concerns regarding the possibility of intrusive noise from heavy vehicles. • Background noise levels from vehicles will equate to the EPA maximum allowed levels. Any noise emissions from lots within the park should not exceed background noise levels. • The proposed rezoning of the land must be altered to ensure compliance with EPA noise objectives. • Noise will detriment the use of grounds for ceremonies, receptions and general leisure uses. • To mitigate noise impacts: <ul style="list-style-type: none"> ➢ A 100metre buffer to the north of Ravensthorpe should be zoned Environmental Management. ➢ The zoning of the business park should be split so business or industries likely to generate the most noise are limited to the north of the business park. ➢ The zoning of the business park should limit the amount of warehouse/distribution type developments that will generate the most heavy vehicle traffic to the north of the business park. <p>Construction stage</p> <ul style="list-style-type: none"> • All screen plantings and sound barriers should be in place before any construction takes place. • The Acoustic and Vibration management Plan and the overall Construction Management Plan need to take the Ravensthorpe business into account. No heavy construction work should take place on any weekend at any time within a substantial distance of the Ravensthorpe boundary. <p>Traffic flow</p> <ul style="list-style-type: none"> • The Illawarra Highway / Princes Highway intersection currently experiences poor performance during peak periods. • The operation restraints of this major intersection must be addressed before allowing additional traffic the proposed business park has the potential to generate. <p>Employment</p> <ul style="list-style-type: none"> • The proposed zoning of the business park needs to be altered to minimise the amount of warehouse / distribution type development and place an emphasis on other business uses that will create more employment opportunities per hectare. <p>Lot developments</p> <ul style="list-style-type: none"> • All lot development further to the rezoning should come under Shellharbour City Council's jurisdiction to ensure the needs of the community are appropriately looked after. <p><i>Petition</i></p> <ul style="list-style-type: none"> • Ravensthorpe owners included a petition as part of their submission concerning the proposed development. • The petition has been signed by 497 individuals. • Signatories affirm: <ul style="list-style-type: none"> ➢ The proposed development will detrimentally impact on the visual amenity and business viability of Ravensthorpe. ➢ Industrial buildings up to 20 metres high will destroy the view corridors, cause overshadowing on the grounds of Ravensthorpe and seriously jeopardise the viability of the business of Ravensthorpe. ➢ The proposed development will detrimentally impact the local rural environment, particularly SEPP14 wetlands on the site. ➢ Regular flooding currently experienced in the area will be worsened as a result of the development containing so much hard surface. ➢ The site should not be rezoned and the development should not be approved. ➢ More appropriate uses for the site include business development, commercial activity and tourism. 	
27	29.08.07	Object	<ul style="list-style-type: none"> • The proposed development will detrimentally impact on the visual amenity of Ravensthorpe. • The construction impact of the development will harm the Ravensthorpe business. • Building heights up to 20 metres are excessive and will overshadow Ravensthorpe. • Controls for applications to develop lots should be in the concept plan. • The site should not be rezoned for industrial use or development in its present form should not be allowed to proceed. • Business development, commercial activity or tourism would be more appropriate afro the site. 	<ul style="list-style-type: none"> • Heritage • Amenity • Urban design • Zoning
28	28.09.07	Object	<ul style="list-style-type: none"> • The proposed development will have a detrimental impact on the livelihood of the Ravensthorpe business. 	<ul style="list-style-type: none"> • Heritage

			<ul style="list-style-type: none"> • Buildings 20 metres in height will destroy views and overshadow the grounds of Ravensthorpe • Noise from passing trucks will detriment the property's functions as a guesthouse. • Construction impacts, such as noise, dust and traffic will deter business from Ravensthorpe. • There are more appropriate uses for the proposed development site including business, commercial or tourism. 	<ul style="list-style-type: none"> • Amenity • Construction impacts • Zoning
29	30.09.07	Object	<ul style="list-style-type: none"> • One access point at Tongarra Road is insufficient. • Tongarra Road currently runs at capacity at times, it is not adequate to accommodate the development. • Tongarra Road currently floods, run off from the proposed development will worsen this. • The proposed development is incongruent with the rural character of the area. • The proposal will detrimentally impact the amenity and views of Ravensthorpe. 	<ul style="list-style-type: none"> • Heritage • Views • Amenity • Flooding • Traffic • Access

PART B: PUBLIC AUTHORITIES

No.	Date	Submitter	Nature	Comment	Issue Summary
30	28.08.07	Sydney Water Corporation	N/A	<ul style="list-style-type: none"> • The proponent will need to obtain a Section 73 Compliance Certificate from Sydney Water to confirm infrastructure requirements can be satisfied and payment of Sydney Water charges. • Landscaping should avoid the inclusion of tree species likely to damage Sydney Water Pipes. 	<ul style="list-style-type: none"> • Infrastructure • Landscaping
31	31.08.07	Roads and Traffic Authority	Object	<ul style="list-style-type: none"> • The RTA require the following information in order to make an informed assessment of the proposal: <ul style="list-style-type: none"> ➤ Electronic copies of the TRACKS model must be provided for verification. This must be accompanied by a report detailing the impact of the proposal on the surrounding road network and in particular state variations in traffic volumes to the state road network (with and without development). ➤ The SIDRA analysis must consider AM and PM peak periods, existing and 10 year projects and the impact with and without development for all scenarios. The junction of the Princes Highway and Tongarra Road should also be analysed. ➤ The applicant should identify any road infrastructure requirements necessary to mitigate the impacts of the proposal. The traffic assessment should identify any treatments needed in addition to current upgrades to ensure the development does not adversely impact the junction. ➤ A concept plan of the proposed access treatment on Tongarra Road must be provided. The plan shall demonstrate that sight distance can be achieved in accordance with the RTA Road design Guide and the plans must show property boundaries. ➤ For any bus services that do not enter the site loop road bus bays and associated infrastructure must be provided both sides of Tongarra Road. This should be shown on the concept plan. ➤ The traffic study should outline the bus infrastructure that would be provided internally on the loop road. ➤ The 1.1metre wide cycleway on each shoulder of Tongarra Road should be upgraded along the full frontage of the proposed development in accordance with AUSTROADS. 	<ul style="list-style-type: none"> • Traffic generation • Bus infrastructure • Road safety
32	31.08.07	Department of Water and Energy	Object	<p>Environmental Management Area</p> <ul style="list-style-type: none"> • The Department recommended at an on-site meeting with the applicant and their consultants that a riparian zone (both sides of Fraser Creek) 40 metres in the northern section of the site and 25 metres in the central and southern sections. The latter has not been implemented by the concept plan. • The 25 metre Environmental Management Area (EMA) in the eastern section adjoining the Business Park should have been taken from the top of the right bank of Frazers Creek and extend eastwards to the toe of the fill embankment batter. <p>Creek realignment in the southern section</p> <ul style="list-style-type: none"> • The Environmental Assessment refers to a realignment of the southern section of Frazers Creek, however there are no details concerning this proposal. All plans and drawings indicate the creek and associated 25 metre EMA on its present alignment. <p>Zoning</p> <ul style="list-style-type: none"> • DWE is of the view that the entire EMA, including wetlands, should be zoned to Environmental Conservation/Protection to reflect the final land use. • Strongly recommends that a separate and specific environmental protection zone be assigned to the entire EMAs to align with the natural resource outcomes and actions established in the Department of Planning's Illawarra Regional Strategy. <p>Revegetation</p> <ul style="list-style-type: none"> • Strongly recommends that the revegetation program whilst scheduled for Stage 1 should commence and be ongoing to its uninterrupted conclusion in respect to site preparation and planting establishment phase. DWE do not support it being staged on the same timetable as the civil works program due to the detrimental impact this is likely to have on plant growth and maturation of the riparian corridor. • The proposed Vegetation Management Plan (VMP) (Whelan InSites May 2007) makes no reference to supplementary watering during the planting and initial establishment phase. This is a significant omission. Should groundwater be proposed a license application under the provisions of the Water Act 1912 will need to be made to the Department. • The proposed VMP refers to the collection of local indigenous seed from the site. Given the site has little remnant vegetation, seed should be collected from the general vicinity of Albion Park as close as possible to the revegetation site without depleting local seed bank resources. 	<ul style="list-style-type: none"> • Environmental management • Ground works • Zoning

33	31.08.07	State Emergency Services	Object	<ul style="list-style-type: none"> Vehicle access and egress to the proposed nine lots on the northern side of the east-west runway are of primary concern to the SES. Flood free access should be provided to this area in the 1% AEP event with safe vehicular access in the PMF event. PMF refuges proposed should not be considered to be the primary strategy for combating a lack of safe vehicular access during an extreme event. 	<ul style="list-style-type: none"> Flood access and evacuation
34	03.09.07	Department of Premier and Cabinet Regional Co-ordination Program Illawarra	Support	<ul style="list-style-type: none"> A business park concept for the site is consistent with the strategic land-use context envisaged for the Illawarra Regional Airport precinct under the Illawarra Regional Strategy and on this basis it is supported. Appreciate that there are a range of individual issues associated with the site's development and trust that these matters can be satisfactorily addressed as part of the assessment process. 	<ul style="list-style-type: none"> Regional strategy Strategic location
35	03.09.07	NSW Rural Fire Service	N/A	<ul style="list-style-type: none"> The development does not raise any bushfire issues. 	<ul style="list-style-type: none"> Bushfire
36	05.08.07	Shellharbour City Council	Object	<ul style="list-style-type: none"> Offers 'in principle support', however there are numerous unresolved issues. Proposed Schedule 3 Amendment At <i>Clause 6 Consent Authority</i> final words do not form a sentence. Also, there is no Division 3 in the Schedule. Part 4 of the Act should be referred to at <i>Clause 7- Consent Authority</i>. The following proposed clauses should be amended or deleted in order to be consistent with the Standard Instrument (Local Environmental Plan) Order 2006: <ul style="list-style-type: none"> <i>Clause 9-Zone B7- Business park Objective 4(a;, Objective 4(e), and; Sub clause (4).</i> <i>Caluse 10-Zone E3- Environmental management: Sub clause (3) Development only with consent.</i> <i>Clause 11- Zone SP2- Infrastructure: Sub clause 3- development only with consent</i> <i>Clause 12- Land acquisition – Infrastructure Zone.</i> <i>Clause 15- Public utility undertakings excepted.</i> <i>Clause 16- Floor area restrictions.</i> <i>Clause 17- Building height.</i> <i>Clause 19- Consent requirements.</i> <i>Clause 26- Temporary use of land</i> <i>Objective 4(b)</i> seeks to restrict retail uses however provides no guidance regarding interpretation or application. Retailing should be strictly controlled through planning provisions contained in the Schedule. A specific objective relating to neighbourhood shops, in addition to <i>Objective 4(d)</i> should be inserted in to the sub clause. Whilst office uses are a mandatory use in Zone B7, the draft Shellharbour LGA Retail and Commercial centres Study identifies a limited demand for offices and recommends these be located in or around existing centres. The same report indicates little demand for bulky goods and recommends these be located in or around Shellharbour City Centre and Albion Park Rail Centre. There needs to be an objective relating to "office premises" that is mandated permissible use in the zone under the Standard (LEP) Order 2006. The objectives should be listed as <i>sub clause (1)</i>, not <i>sub clause (4)</i>. No group definitions should be used in the schedule, all uses should be specifically defined. It is unclear how 'amusement centres' or a stand alone 'pub' promotes the site as a business park. If bulky goods are permissible they should be ancillary to another activity on the site. Council would prefer to see bulky good prohibited in the zone. The need for reference to "Remediation work" is questioned. If retained a new definition should be inserted. The following sub clauses should have no development listed as such works should require development consent. <ul style="list-style-type: none"> <i>Clause 9- Zone B7- Business Park: Sub clause (2) – Development without consent.</i> <i>Clause 10-Zone E3- Environmental Management: Sub clause (2) – Development without consent.</i> <i>Clause 11-Zone SP2- Infrastructure: Sub clause (2) – Development without consent.</i> The <i>Clause 12-Land Acquisition- Infrastructure Zone</i> schedule does not contain the "Land Reservation Acquisition Map" as required by the clause. Council is opposed to the entire riparian buffer not being wholly contained in the E# Environmental Management Zone. Such would provide <i>Clause 24 Riparian Buffers</i> would not be necessary. <i>Clause 27- Development of land known to be flood liable</i> should only apply to the PMF applying to the land. Zoning Maps Amendments for greater clarity should be made to <i>Map 2- Zoning Map, Map 5- Building Height and Map 6 Floor Space Ratio.</i> Building Height There are inconsistencies between building heights provided by the Building Height Map, the Concept Plan and the Design Guidelines and Controls. A blanket height limit for the site is not considered appropriate. Height limited for the site should only be established once finished site levels are agreed upon. Buildings in the order of 12 metres are probably most appropriate. A lesser height limited needs to be established in the vicinity of Ravensthorpe. Land transfer to Council Council has not agreed the proposal for environmentally sensitive land to be transferred to its ownership for management and maintenance. Suitable arrangements need to be made for ongoing funding of this. Council seek clarity whether they can be forced to accept land in the environmental management zone? 	<ul style="list-style-type: none"> Flooding Access Traffic generation and management Environmental management Nature conservation Heritage Archaeology Urban design Zoning Amenity View corridors Ground works Landscaping Airport operations

			<p>Concept Plan</p> <ul style="list-style-type: none"> • Council seek clarity regarding what constitutes the Concept Plan. • Some planning controls contained in Section 6 conflict with those proposed in the SEPP amendment and proposed Design Guidelines and Controls. • Concept Plan shows preservation of paper bark forest yet cut and fill plan in section 6 indicates the destruction of this forest. • Council oppose the sub division of part of the riparian corridor into multiple private ownership. • Council disputes many of the controls and document references in Section 6 and seek to liaise with the Department and Delmo prior to the Minister determining the application. • The extent of developable land shown in the Concept Plan can not be determined until issues are resolved. <p>Illawarra Regional Business Park Design Guidelines and Controls</p> <ul style="list-style-type: none"> • Council seeks clarity regarding the statutory weight the controls would afford under the Act. • Design Guidelines as exhibited by the Department were incomplete. Council obtained Sections 18, 19 and 20 omitted by the applicant. • Seek amendments to: <i>Section 3- Floor Space Ratio, Section 4- Height of Buildings, Section 5- Site Coverage, Section 6- Setbacks, Section 6- Setbacks, Section 7 – Riparian Buffer, Section 8- Landscaping, Section 9 & 10 – Building Design, Materials and Colours, Section 12- Fencing, Section 13- Parking and Access, Section 14- Manoeuvring Areas, Section 17- Signage, Section 18- Water Cycle Management, Section 19- Operation of the Illawarra Regional Airport, Section 20- General Requirements, Section 20.1(flooding and cut and fill), 20.6 Noise.</i> <p>Draft Statement of Commitments</p> <ul style="list-style-type: none"> • This should be reviewed taking into account Council's comments and concerns. <p>Flooding and Floodplain</p> <ul style="list-style-type: none"> • Further analysis should be undertaken to address questions regarding: <ul style="list-style-type: none"> ➢ Total flood plain storage. ➢ Volume of flood storage. ➢ Percentage of loss of flood storage. ➢ Probable impact of further filling of the flood plain. ➢ Peak discharge at the down stream control. ➢ The absence of compensatory cut. ➢ Order of accuracy of the model. • No detailed flood modelling has been prepared that demonstrates the proposed development will satisfy Council's Floodplain Risk Management DCP. <p>Stormwater and Stormwater Quality Management</p> <ul style="list-style-type: none"> • The proposed statement of treatment of stormwater does not adequately address the adverse impacts that stormwater for the site will potentially have on sensitive receiving waters. • How impacts associated with stormwater will be mitigated has not been provided. • There is no indication prescribed water quality targets will be achieved with the proposed level of stormwater treatment and drainage configuration. <p>Groundwater flows/ SEPP 14 Wetland</p> <ul style="list-style-type: none"> • There needs to be more detailed geomorphological investigation on the impact cut and fill, combined with the introduction of impervious areas, would have on groundwater flows and SEPP 14 wetland. • There is a lack of detail on the type of fill to be used in the proposed subdivision. <p>Riparian Corridor Management</p> <ul style="list-style-type: none"> • Riparian buffers designated are not adequate and should be increased, consistent with <i>Category 1- Environmental Corridor</i> identified within the <i>Riparian Corridor Management Study</i> (DIPNR 2004). <p>Vegetation Management</p> <ul style="list-style-type: none"> • A separate Vegetation management plan (VMP) for the "Paper bank Swamp Forest" should be developed. <p>Frazers Creek Realignment</p> <ul style="list-style-type: none"> • There has been no detailed investigation into the impacts of re-engineering the creek. Modelling and additional information needs to be provided to assess this. <p>Site Contamination</p> <ul style="list-style-type: none"> • A Stage 2 Environmental Site Assessment should be conducted to determine the nature and extent of site contamination. <p>Subdivision, Road design, Stormwater Quality Management</p> <ul style="list-style-type: none"> • The proposed road is not in accordance with the requirements of Council's current subdivision code. This code does not provide for incorporating a central drainage swale, which poses serious maintenance issues for Council. <p>Traffic</p> <ul style="list-style-type: none"> • Disagree with traffic assessment findings and recommendations with regards to the proposed intersection treatment at Tongarra Road and the main access road. Council's SIDRA traffic model assessment of the proposal using the report's traffic generation figures indicate the intersection will operate significantly above traffic volumes indicated in the Masson, Wilson and Twiney report. • The intersection of Tongarra Road / Station Road and Tongarra Road / Croom Road has not been sufficiently assessed. <p>Illawarra Regional Airport</p> <ul style="list-style-type: none"> • The proposed Concept Plan has been devised having regard to the airport's classification as a code 2 facility 	
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				<p>(according to Civil Aviation Safety Authority specifications). However the Council seeks the runway to be capable of operating at code 3 which requires greater height limits and setbacks relative to the airport than proposed.</p> <ul style="list-style-type: none"> There are various safety concerns, particularly with regards to the impact of building heights and lighting might have on aircraft approaches and general visibility. <p>Aboriginal Archaeology and Heritage Considerations</p> <ul style="list-style-type: none"> A scientific archaeological test excavation program across the development site should be conducted to identify the presence or absence of any Aboriginal archaeological objects. <p>European Heritage Consideration</p> <ul style="list-style-type: none"> Council formally request that the application be referred to the NSW Heritage Office for assessment. <p>Johnston Farm Land</p> <ul style="list-style-type: none"> A Heritage Impact Statement for all structures on the Johnston farmland should be required. The Concept Plan identified fig trees on the site for preservation however the cut and fill plan show a metre of cut where the fig trees are located. <p>Ravensthorpe</p> <ul style="list-style-type: none"> A Heritage Impact Statement should be undertaken for Ravensthorpe. In the absence of a Heritage Statement, the screen buffer at the rear of Ravensthorpe should be widened to 20 metres and remain as close to existing ground levels as possible. The 20 metre buffer should be located outside the development lots and link to the environmental management zone. The triangular lot along the west boundary should be altered to have its southern boundary in line with the 20 metre wide buffer. This would form part of a visual curtilage for Ravensthorpe. <p>Developer Contributions</p> <ul style="list-style-type: none"> Council requests the option of a planning agreement remain open. 	
37	03.09.07	Department of Primary Industries	Object	<p>Aquatic threatened species</p> <ul style="list-style-type: none"> There are no currently listed species of fish, marine vegetation or critical habitats in the vicinity of the site that are likely to be affected by the draft SEPP. <p>Riparian and wetland protection</p> <ul style="list-style-type: none"> DPI concurs with the proposed retention, rehabilitation and ongoing protection of the wetlands and riparian areas of Frazers Creek located on the site. The Department's policy is that buffer zones for new developments adjacent to key aquatic habitats should be a minimum of 50 metres in width. The proposed 25 metre buffer zone around the SEPP 14 Wetland No.382 is inadequate. <p>Water quality</p> <ul style="list-style-type: none"> The draft SEPP should explicitly deal with the issue of water quality protection in waterways within, adjacent to and downstream of the site of the proposed Illawarra Regional Business Park. DPI concurs with the proposed use of Water Sensitive Urban Design (WSUD) and Integrated Water Cycle Management for the site. DPI is concerned that the Water Cycle Management Plan is limited. Leaving the bulk of the detailed planning for stormwater management to future lot owners is not taking a holistic approach as claimed. It is not clear how compliance with the requirements for on site detention and retention by all future lot developers will be enforced and guaranteed. DPI concurs with the proposed development of a comprehensive Construction Management Plan for the site and with the proposed further investigations of possible contamination of the site and development of remediation measures. <p>Waterway crossings</p> <ul style="list-style-type: none"> Works within riparian zones should not be listed as exempt development due to the potential for these works to adversely impact upon fish habitats. 	<ul style="list-style-type: none"> Nature conservation Environmental management Water quality
38	11.09.07	Ministry for Transport	Object	<ul style="list-style-type: none"> The Ministry requests the following key matters be addressed: <ul style="list-style-type: none"> A freight movement strategy is recommended to better ascertain the impact of freight for the surrounding road network and what percentage of freight can be handled via rail or air transport. How heavy vehicle movement growth is addressed in traffic modelling at key intersections also needs further clarification. Shellharbour City Council has recently completed the Albion Park Transport Study. The analysis and recommendations of this report should be addressed by the proposal. Concerned that existing traffic congestion at the intersection of the Princes Highway and the Illawarra Highway will be exacerbated by the proposed development without a clear solution or means to mitigate these impacts. Congestion will also increase for the key intersection of Tongarra Road and Terry Street, which is used by most existing bus services. Priority for buses at local intersections should be specifically considered, particularly at Tongarra Road and Terry Street. The EA Report identifies S117 Direction 3.4 -Integrating Land Use and Transport9 (ILUT), yet only a cursory review of the ILUT policy package is provided. Detailed consideration of the ILUT is recommended together with the directions for transport within the State Plan. The capacity of public transport to adequately meet the needs of future workers to the subject site is not addressed. The preparation of a transport access guide is recommended. The proposed development should meet the minimum standards for pedestrian and cycle access. 	<ul style="list-style-type: none"> Traffic Access Public transport Car Parking Infrastructure funding

				<ul style="list-style-type: none"> ○ A minimalist approach to car parking provision on site should be adopted with a parking rate determined based on the accessibility of the site to public transport. ○ Prominent facilities for the secure storage of bikes and amenities for cyclists should be included within future development. ○ The preparation of a site specific development control plan to better integrate transport and land use is recommended. ○ The Ministry seek close consultation on the preparation of any planning agreement which has potential to secure funding for local and regional public transport including priority bus measures and roadside infrastructure. 	
39	14.09.07	Department of Environment and Climate Change	Object	<ul style="list-style-type: none"> • Generally supports the proposal subject to DoP seeking additional statements of commitments relating to biodiversity conservation, water quality and quantity, use of coal wash, aboriginal cultural heritage. • DoP and DECC meeting to discuss further and resolve issues identified with regards to flooding issues, which may involve the development of additional statement of commitments. <p>Biodiversity Conservation</p> <ul style="list-style-type: none"> • DECC is concerned with the proposed clearance of remnant vegetation and its associated threatened species on site. • Any development proposal should, where possible, take steps to avoid impacts on threatened species. There is no justification provided in the EA for the removal of the SSFC EEC on the site. • DECC recommends the following statements of commitment: <ul style="list-style-type: none"> ➤ <i>The development will avoid clearing threatened species on the site unless justified to the satisfaction of the DECC.</i> ➤ <i>The development must be undertaken in a manner which will manage and protect threatened species.</i> • There are concerns with regards to some elements of the proposed buffer. The proposed statement of commitment is recommended to address this: <ul style="list-style-type: none"> ➤ <i>The buffer surrounding the wetland and riparian area will not include any part of the batter slope from the development ad will be consistent with the former DNR advice provided.</i> • The DECC do not support a portion of the buffer being zoned B7 and the remainder B3. Zone E2 is more consistent with the objectives of the EMA. Agriculture should not be included permitted under the proposed zoning. • The concept plan includes the planting of many non native species, which the DECC considers inappropriate. • To address these concerns the following commitments are recommended: <ul style="list-style-type: none"> ➤ <i>The entire SEPP 14 wetland, habitat corridor and EMA be zoned E2 to ensure the retention and long term security of the high conservation values within these areas.</i> ➤ <i>Agriculture is not permitted within the EMA.</i> <p>Water quality and quantity</p> <ul style="list-style-type: none"> • Water discharged from the site must meet the NSW Government's Water Quality and River Flow Interim Objectives from Illawarra Catchments. • DECC recommends the following commitment: <ul style="list-style-type: none"> ➤ <i>The proponent must ensure that the changes in hydrology caused by the development does not have detrimental impacts on the SEPP 14 Wetland and the Freshwater Wetlands on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregions EEC. This must include a monitoring program of the health of the SEPP 14 Wetland and the EEC pre and post development.</i> <p>Use of coal wash</p> <ul style="list-style-type: none"> • As the concept plan proposes use of 230 500m³ of coal wash fill, an environmental protection license (EPL) needs to be obtained before any works commence. • It is recommended that the proponent undertake an assessment of the viability of the use of coal wash for this development. Such an assessment would include, but not be limited to: <ul style="list-style-type: none"> ➤ Information on the type of coal wash proposed to be used. ➤ Physical and chemical characteristics to demonstrate that it is fit for purpose for engineering at fill at the Albion Park site. ➤ Consideration of alternative fill materials and justification for the use of coal wash ➤ Any potential impacts the use of coal wash may have on water quality discharged from the site. ➤ Any potential impacts the use of coal wash may have on the SEPP 14 Wetland and the freshwater Wetlands on Coastal Floodplains (EEC). <p>Aboriginal cultural heritage</p> <ul style="list-style-type: none"> • DECC does not support the proposal's recommendation for archaeological excavation in the southern section of the site. • In DECC's view, conducting archaeological investigations within the business park and along the creek line will not provide any new additional information on the nature of the archaeological resource. • Instead of archaeological excavation, a plan of Management should be developed for the riparian corridors and wetland buffers within the Business Park. This plan should include the following: <ul style="list-style-type: none"> ➤ Measures to manage the riparian corridor and wetland buffers in a way that enhance and protects the Aboriginal cultural heritage values within these areas. ➤ Consideration of the Aboriginal cultural heritage values associated with the identified 'Special Areas' within the Business Park, such as the stand of fig trees, Paperbark forest and the two wetlands, and strategies to avoid impacting them during development. 	<ul style="list-style-type: none"> • Nature conservation • Environmental management • Water quality • Aboriginal heritage • Flooding

				<ul style="list-style-type: none"> ➤ The Plan could also consider, within the same document, measures to protect and enhance the biodiversity and water quality within the Business Park. ➤ Interpretation of Aboriginal cultural heritage values (that is, interpretive panels, artwork installations) as part of the Business Park development. This should be done through consultation with and engagement of the local Aboriginal community. ➤ Exploration of opportunities to actively engage Aboriginal communities in the proposed revegetation and rehabilitation works proposed for the Business Park. <p>Floodplain management</p> <ul style="list-style-type: none"> • DoP, as the sole approval authority, should ensure that it has satisfied itself that the advice provided in comments previously provided by DECC have been considered and addressed, which included: <ul style="list-style-type: none"> ➤ 25m revegetation buffers would deliver reasonable habitat solutions but not necessarily ideal corridor functionality. ➤ Non-urban land could be revegetated generally on the western side of Frazers Creek to increase the overall riparian and terrestrial vegetation coverage on the site and deliver outcomes more aligned to Category 1 and a functioning habitat corridor. ➤ Shortening of Frazer Creek would increase in-channel velocities and the associated hydrologic impacts would need to be assessed further. ➤ DNR willing to accept the realignment of the channel in lieu of a new 25 metre wide terrestrial revegetation link adjacent to the RTA Road reserve. ➤ Formalised should largely be kept out of the riparian zone, but limited incursions and crossings could occur. ➤ Delineating the SEPP 14 wetland should include an additional 1m buffer/setback to counter and under-estimation of wetland edge. • Discrepancies remain between design flood levels on the site undertaken to support development in the area and those in the Albion Park Flood Study report (1986). • The approval authority may wish to consider utilising the more conservative design flood estimates available in the area for setting any flood related development controls. • The proposal has identified that it will have an adverse impact on flooding, including existing urban areas in Albion Park however there does not appear to be any strategy to offset these impacts and it is therefore unclear as to how the associated flood liability will be considered or contained by the approval authority. • It is unclear as to whether the impact of the proposed stream shortening and revegetation of the riparian zone has been considered as to how it will impact on flooding and or erosion of the creek bed and banks. 	
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