



# One Tree Bay, Sussex Inlet

## Preliminary Environmental Assessment

106053-04 / Report 001 Rev P3

IMB Land Pty Ltd & One Tree Bay Pty Ltd

April 2009





**Cardno Forbes Rigby Pty Ltd**

ABN 41 003 936 981

278 Keira Street, Wollongong

NSW 2500 Australia

Telephone: 02 4228 4133

Facsimile: 02 4228 6811

International: +61 2 4228 4133

cfr@cardno.com.au

www.cardno.com.au

**Document Control**

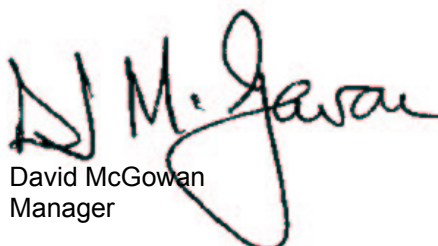
Version	Date	Author		Reviewer	
Rev 0	23 April 2009	Connie Lau	CYL	David McGowan	DJM

"© 2008 Cardno Forbes Rigby Pty Ltd All Rights Reserved. Copyright in the whole and every part of this document belongs to Cardno Forbes Rigby Pty Ltd and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of Cardno Forbes Rigby Pty Ltd."

Prepared by  
for and on behalf of  
**CARDNO FORBES RIGBY PTY LTD**



Connie Lau  
Town Planner



David McGowan  
Manager



## Executive Summary

### The Proposal

The One Tree Bay proposal by IMB Land P/L and One Tree Bay P/L is at the cutting edge of environmentally responsive urban design and climate change mitigation. The proposal is located on a 1,044 ha of private rural land, known as the Milallen Farm at Sussex Inlet. The project involves:

- 84% land dedication as a National Park and public land,
- 18km of foreshore land along St Georges Basin to be dedicated as public land, permitting protection of a pristine natural environment while giving public access to the southern shore of St Georges Basin for boating and other recreational activities.
- Approximately 2,000 lot subdivision to be developed as a sustainable walkable township. The township will consist of a mixed use town centre and surrounding residential. A diverse mix of housing types has been planned for the town and will include family homes, senior housing and affordable accommodation. These will support a range of commercial, recreational and tourism facilities.

The development will be constructed in stages, in accordance with the indicative staging plan.

IMB Land and One Tree Bay P/L have worked closely with Government agencies to assess the land proposed for dedication and has found high value environments and habitats for rare and endangered species.

### Major Project Application

*The current major project application follows an endorsement by Shoalhaven City Council to rezone the land for a mix use residential, commercial and tourism development.*

*The Minister for Planning has declared this project as a major project under Part 3A of the Environmental Planning and Assessment Act. In response to the declaration, IMB Land and One Tree Bay P/L commissioned a project team to project manage the preparation of the PEA and undertake the necessary engineering, water quality and town planning aspects of the project.*

*This PEA supports the following components of the Major Project Application:*

- *Concept Application for the masterplan of the proposed development*
- *Project Application for Stages 1 and 2 of the residential subdivision, which consists of:*
  - *Dedication of 881ha of coastal land to the National Park*
  - *Construction and dedication of a boat launching facility and jetty to be dedicated to Shoalhaven City Council*
  - *Subdivision of Lot 52 for the purpose of land dedication and construction of the main access into One Tree Bay*
  - *Construction of lead in infrastructure (as required)*
  - *Residential Subdivision of Stages 1 and 2 to 86 lots.*





## Executive Summary

### Strategic Compliance

- The One Tree Bay proposal complies with the direction of the Sussex Inlet Settlement Strategy (SISS) to consolidate growth within unconstrained lands. Areas identified for future development were strategically located to avoid significant ecologically assets, wetlands and vegetation. The principle of a compact settlement and self containment underpin the design of the proposed development. A hierarchy of density is proposed to provide a range of housing choices. Smaller lots with access to necessary services and public transport can promote affordability within this area. A diverse range of employment opportunities will be available in the new township to negate the needs to travel outside the town and to ensure local residents can work and live within the township. The design can minimise trips and maximise the efficiency of local services and public transport. These principles are consistent with the SISS which seeks to ensure sustainable outcomes in future developments.
- The South Coast Regional Strategy states that no new town or villages will be supported unless they can satisfy the sustainability criteria. The rezoning application has shown that the proposed development complies with these criteria and there are compelling reasons for accommodating growth in this location. The proposal will help meet the housing demand that was forecasted for Sussex Inlet, and will provide a broad public benefit through the conservation of key environmentally sensitive coastal lands in perpetuity under National Park management. This proposal complies with the directions of the Regional Strategy.
- The design of the subdivision complies with the principles under SEPP 71, and it can achieve the objectives of SEPP 14 by locating the development away from the coastal wetlands, hence protecting them.
- The future local environmental plan will be supported by a Site Specific Development Control Plan to ensure that the future developments (both public and private domains) will comply with the long term environmental management requirements, and the design will reflect the prevailing character of South Coast townships. This ensures future developments are constructed and operated in accordance the intended principles of this proposal.

### Preliminary Environmental Assessment

The existing environmental constraints affecting the Sussex Inlet area have been thoroughly assessed as part of the SISS. It was clear from the SISS that the development area is not affected by significant environmental constraints, in terms of acid sulphate soil and flooding.

The rezoning application for the subject site includes additional site specific assessments on the following key issues.

- Bushfire
- Ecology
- Water Quality
- Infrastructure

These are summarised as follows:





## Executive Summary

### Bushfire

The subject site is located in a bushfire prone area but the risk is relatively low. Preliminary advice from the bushfire consultant suggested that the indicative bushfire management measures (asset protection zone, refuge area and fire trail) are acceptable. A full bushfire report can be prepared to assess the compliance with the Planning for Bushfire Guidelines 2006 in the EA stage.

### Ecology

Thorough field surveys on the fauna and flora and the potential habitats on the subject site have been undertaken as part of the rezoning application. The design of the development footprint has taken due consideration on the location of significant flora and fauna. By locating the development in an area with the least constraints and adopting ecologically sustainable development principles in the overall design, the proposal can achieve the required yield to make this project financially viable, yet, minimise disturbance to the existing fauna and flora on site.

The development will remove approximately 16% of the existing vegetation on the subject site. These vegetations include:

- Blackbutt – Turpentine Tall Forest
- Blackbutt – Scribbly Gum Ecotone Forest
- Scribbly Gum – Casuarina Forest / Woodland
- Scribbly Gum – Bloodwood Woodland

Assessment shows that the conservation of the 84% of the subject site can provide long term benefits to the conservation of the above species, which are found elsewhere in the site.

The proposed cleared area currently provide habitat for a number of threatened species, including:

- Yellow-bellied Glider
- Powerful Owl
- Glossy Black Cockatoo
- Masked Owl

Assessments of the existing foraging areas and home territory of these species show that it is unlikely that the proposed development will have significant impacts on these species, given the long term management of the National Park adjacent to the development area.

The report provided a list of key mitigation measures that will need to be implemented in the future development. These recommendations will form part of the Statement of Commitments in the future EA.

### Water Quality

A preliminary water sensitive urban design (WSUD) study has been undertaken as part of the rezoning application to predict the likely water





## Executive Summary

quality outcomes as a result of the proposed development. The study considered two development scenarios – one with low yield development where the entire site is subdivided into 40ha rural lots in accordance with the current LEP controls, and a compact development scenario which reflect the proposed subdivision.

The preliminary modelling indicated that the proposed development has the potential to replicate existing (undeveloped) conditions, whereas the low yield (40ha subdivision allotment) scenario will potentially result in a significant deterioration of water quality discharged to St Georges Basin, with a doubling of Total Nitrogen loads.

The study recommends a set of proposed WSUD measures. These measures will be further fine tuned in the EA stage for implementation in the final subdivision design.



### Infrastructure

Assessment on the existing capacity of water supply, sewer, electricity, gas and telecommunication has been undertaken as part of the rezoning application. Liaison with Shoalhaven Water and Integral Energy was conducted to establish the capacity and confirm the required upgrades. These are identified as follows:

- There may be existing spare capacity in the 450mm DICL trunk water main that runs along Sussex Inlet Road, which delivers water to Sussex Inlet. Further investigation will be undertaken in the EA stage to establish the required upgrade to the system.
- It is likely that the existing waste water treatment plant will need to be upgraded to service the proposed development at One Tree Bay. Shoalhaven Water is currently investigating the possibility of expanding the current reclaimed water supply system to serve new growth areas. Opportunities exist to use reclaimed water for the proposed development.
- There is no reticulated gas supply infrastructure in the Sussex Inlet area.
- Integral Energy has confirmed that there is no capacity in the electrical system to serve substantial future development of the Sussex Inlet area. Upgrade to the trunk infrastructure will be required to service the proposed development.
- There are existing telephone and fibre optic cables along Sussex Inlet Road. Telstra will need to be consulted during the EA stage to confirm the connections to service the proposed development.



Based on the existing assessments that have been completed to date, it is considered that the following further studies will be required at the EA stage:

- Traffic, Access and Car Parking
- Aboriginal Heritage
- Detail Bushfire report
- Green House Gas Emission
- Visual
- Further confirmation with utility companies regarding the required upgrades to existing infrastructure







## Executive Summary

### Recommendations

Based on the existing assessments, this PEA recommends that:

- IMB Land and One Tree Bay P/L seek consideration from DoP to exclude any further requirements for an ecological assessment at the EA stage. It is considered that the study completed to date is sufficient for the purpose of the EA preparation.
- Upon the issue of the Direction General's Requirements, IMB Land and One Tree Bay P/L commission more detailed designs on the proposed subdivision and the associated works, and commission further studies for the preparation of the EA.

It is anticipated this Preliminary Environmental Assessment will lead towards the issue of the Director General Requirements to guide the preparation of the Environmental Assessment.



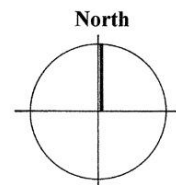


# One Tree Bay

Schematic Layout  
1 : 4,000

Proposed New Sustainable Township  
at One Tree Bay for  
One Tree Bay P/L & IMB Land P/L

Design Urban Pty Ltd  
(03) 9818-3859





## **Table of Contents**

<b>1</b>	<b>Introduction .....</b>	<b>1</b>
1.1	Background .....	1
1.2	The Proponent.....	2
1.3	Development Overview .....	2
1.4	Major Project Application .....	4
1.5	Consultation .....	5
1.6	Purpose of This Report .....	5
1.7	Project Team .....	5
1.8	Structure of This Report .....	6
<b>2</b>	<b>Site Analysis .....</b>	<b>7</b>
2.1	Site Conditions .....	7
2.2	Location .....	10
2.3	Site Context.....	10
2.4	Slope and Terrain .....	10
2.5	Surrounding Settlement .....	14
2.6	Local and Regional Services.....	14
<b>3</b>	<b>The One Tree Bay Proposal .....</b>	<b>15</b>
3.1	Vision for One Tree Bay .....	15
3.2	Development Components.....	15
3.3	Indicative Staging .....	17
3.4	Proposed Voluntary Planning Agreement.....	17
3.5	Works Subject to Concept Application .....	17
3.5.1	Compact and Walkable Village .....	20
3.5.2	Reducing the Ecological Footprint .....	22
3.5.3	Housing Diversity and Affordability .....	22
3.5.4	A Mixed Use Town Centre .....	22
3.5.5	Protecting St Georges Basin.....	23
3.5.6	Protecting the Most Environmental Sensitive Land as National Park.....	24



3.6	Works Subject to Project Application .....	24
<b>4</b>	<b>Justification for the Proposed Development .....</b>	<b>26</b>
4.1	Housing Market Sussex Inlet .....	26
4.1.1	Housing Needs.....	26
4.1.2	Socio Demographic Trends.....	28
4.1.3	Housing Supply .....	28
4.1.4	Discussion .....	28
4.2	Future Growth in Sussex Inlet.....	29
4.3	Sustainable Development Pattern.....	32
<b>5</b>	<b>Statutory Assessment .....</b>	<b>35</b>
5.1	Planning Overview .....	35
5.2	State Planning .....	35
5.2.1	Environmental Planning & Assessment Act 1979 .....	35
5.2.2	Environmental Planning and Assessment Regulation 2000 .....	35
5.2.3	Other Relevant Legislations .....	36
5.2.4	State Environmental Planning Policies (SEPP) .....	37
5.2.5	SEPP – Infrastructure .....	38
5.2.6	SEPP 55 – Remediation of Contaminated Land .....	38
5.3	Regional Planning .....	39
5.3.1	South Coast Regional Strategy.....	39
5.3.2	Sussex Inlet Settlement Strategy (SISS) .....	40
5.4	Local Planning.....	40
5.4.1	Shoalhaven Local Environmental Plan 1985 .....	40
5.4.2	Development Control Plan .....	42
<b>6</b>	<b>Preliminary Environmental Assessment .....</b>	<b>44</b>
6.1	Potential Environmental Impacts Overview .....	44
6.2	Flooding.....	44
6.2.1	Existing Environment .....	44
6.2.2	Potential Impacts.....	46
6.3	Acid Sulphate Soils .....	46



6.3.1	Existing Environment .....	46
6.3.2	Potential impact.....	47
6.4	Bushfire Impacts .....	48
6.4.1	Existing Environment .....	48
6.4.2	Potential Impacts.....	49
6.5	Flora & Fauna.....	49
6.5.1	Existing Environment .....	49
6.5.2	Potential Impacts.....	52
6.5.3	Dedication of Land .....	53
6.6	Water Quality Management .....	54
6.6.1	Proposed WSUD Measures (for 'Compact' Development scenario) .....	54
6.7	Infrastructure .....	54
6.7.1	Water Reticulation .....	55
6.7.2	Sewer Reticulation .....	55
6.7.3	Electricity Reticulation .....	56
6.7.4	Telecommunications .....	57
6.7.5	Gas Services .....	57
6.8	Traffic and Access.....	57
6.8.1	Existing Environment .....	57
6.8.2	Potential Impact.....	57
6.8.3	Public Transport .....	58
6.9	Visual Impact.....	59
6.9.1	Existing Conditions.....	59
6.9.2	Potential Impacts.....	59
6.10	Aboriginal and European Heritage .....	59
<b>7</b>	<b>Consultation .....</b>	<b>60</b>
7.1	Existing Consultation.....	60
7.2	Proposed Consultation.....	60
<b>8</b>	<b>Conclusion and Recommendations .....</b>	<b>61</b>
8.1	Report Findings .....	61



8.2	Recommendations .....	61
-----	-----------------------	----

## **List of Tables**

Table 3.1 – Key Development Components .....	15
Table 3.2 – Description of Development Components .....	16
Table 4.1 – Population Growth in Sussex Inlet .....	26
Table 4.2 – Population Forecasts for Sussex Inlet Area .....	27
Table 5.1 – Relevant Legislation & Applicable Authorities .....	37
Table 6.1 – Summary of Damages to Property .....	46
Table 6.2 – Summary of Vegetation Communities .....	51
Table 6.3 – Summary Outcomes of Fauna Survey .....	52
Table 6.4 – Vegetation within the Development Area .....	52
Table 6.5 – Potential Impacts on Threatened Species .....	53
Table 6.6 – Conservation Profile of Land to be Dedicated & Land that would be Developed .....	54



## List of Figures

Figure 1 – Location Plan .....	3
Figure 2 – Site Plan.....	8
Figure 3 – Constraints Analysis .....	9
Figure 4 – Local Context Plan.....	11
Figure 5 – Regional Context Plan .....	12
Figure 6 – Terrain & Slope Analysis Plan .....	13
Figure 7 – Development Footprint Plan .....	18
Figure 8 – Land Dedication Plan.....	19
Figure 9 – Sustainable Village .....	21
Figure 10 – Section Showing the Relationship between the Residential Development, Coastal Parkland & St Georges Basin .....	23
Figure 11 – Section showing the Relationship of the National Park, the Proposed Storm Water Management Ponds and the Residential Development.....	24
Figure 12 – Proposed Subdivision Plan Stages 1 & 2 .....	25
Figure 13 – Sussex Inlet Settlement Strategy Investigation Areas.....	31
Figure 14 – Development Pattern Permitted under the Current Zoning .....	32
Figure 15 – Clustering of Existing Settlements .....	34
Figure 16 – Current Zoning Plan.....	41
Figure 17 – Existing Flooding Risk .....	45
Figure 18 – Acid Sulphate Soil.....	47
Figure 19 – Existing Bushfire Behaviour.....	48
Figure 20 – Existing Vegetation Communities within the Development Area.....	50

## Annexes

- A. Section 54 Letter, Department of Planning
- B. Staging Plan
- C. Preliminary Water Sensitive Urban Design Plan
- D. Summary of Consultation

# 1 Introduction

*This section describes the background to the report and the study area. It also describes the purpose and structure of the report.*

## 1.1 Background

IMB Land Pty Ltd (IMB) and One Tree Bay Pty Ltd (OTB) own the lands at Sussex Inlet. They have been developing a proposal to construct a new sustainable compact township at the fringe of Sussex Inlet since 2006.

This Part 3A project follows an application to Shoalhaven City Council to rezone the site from the current rural/environmental zones to a future residential mixed use zone to permit a new township with a capacity of approximately 5,000 residents. In addition to the sustainable principles that underpin the design of the proposal, the development also involves a dedication of more than 880ha of coastal lands for future National Park and environmental conservation uses.

IMB and OTB have undertaken extensive consultation with Shoalhaven City Council, Department of Planning (DoP) and Department of Environment and Climate Change (DECC) on the proposed subdivision and the proposed dedication of land. The Minister for the Environment and Climate Change has indicated that One Tree Bay is a significant opportunity for conservation of important land within the NSW National Park system and has recommended consideration of One Tree Bay within the Sussex Inlet Settlement Strategy.

Shoalhaven City Council has resolved on two separate occasions to consider the One Tree Bay proposal within the Sussex Inlet Settlement Strategy. On the 24 April 2007, Council endorsed the One Tree Bay proposal and approved the amendment to the local environmental plan (LEP). A Section 54 letter was issued on 6 February 2009 to permit a range of residential and commercial activities on the site (refer **Appendix A**).

Shoalhaven Water has been assisting Cardno Forbes Rigby in establishing water and sewer capacity for the proposed development.

Following the issue of the S54 letter, IMB and OTB lodged an application to DoP seeking a declaration by the DoP to recognise the Major Project status of the project. The lodgement of the Clause 6 application has led to DoP convening a Planning Focus Meeting on site to workshop all issues relating to the proposal with relevant agencies. Officers from DoP has advised that the project has been declared by the Minister for Planning under Clause 6 of the Act.

IMB and OTB have now engaged a project team to undertake the necessary project management, urban design, engineering and town planning services for the preparation of the Preliminary Environmental Assessment (PEA). The project team consists of:

- DJ McGowan Consultant – Project Management and Town Planning
- Design Urban – Urban Design
- Cardno Forbes Rigby – Town Planning, Engineering, Water Sensitive Urban Design
- Patrick Partners Pty Ltd – Economic impact assessment
- Kevin Mills and Associates – Ecology
- Ecological – Bushfire

It is anticipated that this PEA will lead towards the issue of the Director General's Requirements to guide the preparation of the Environmental Assessment (EA).

This PEA has been prepared to support a Concept Application for the masterplan of the subdivision, and a Project Application for the construction of Stages 1 and 2 of the subdivision. This PEA presents



an initial assessment on the environmental constraints on the site and the potential impacts of the project. It also assesses the compliance of the proposal against key environmental planning legislation.

## **1.2 The Proponent**

**IMB Land Pty Ltd** (IMB) is a wholly owned subsidiary of IMB Building Society, the oldest building society in Australia (established in 1880). It has a large register of over 180,000 shareholders and members mostly from the Illawarra and southern NSW. The IMB was named building society of the year in 2005 and again in 2006 in the Money Magazine consumer finance awards. In 2007 it received Australia's Best Building Society award from the Banking & Finance Magazine national awards.

**One Tree Bay Pty Ltd** (OTB) is a wholly owned subsidiary of the Miltonbrook Group of Companies. Miltonbrook is a privately owned property development organisation based in the Illawarra region of New South Wales. Since its incorporation in 1972, Miltonbrook has developed into a large and diverse multi-project group with a record of proven success, having completed projects across all segments of the property market. One of Miltonbrook's strengths is its establishment and management of equitable partnerships, with more than half of the group's projects being joint ventures with land owners and private investors.

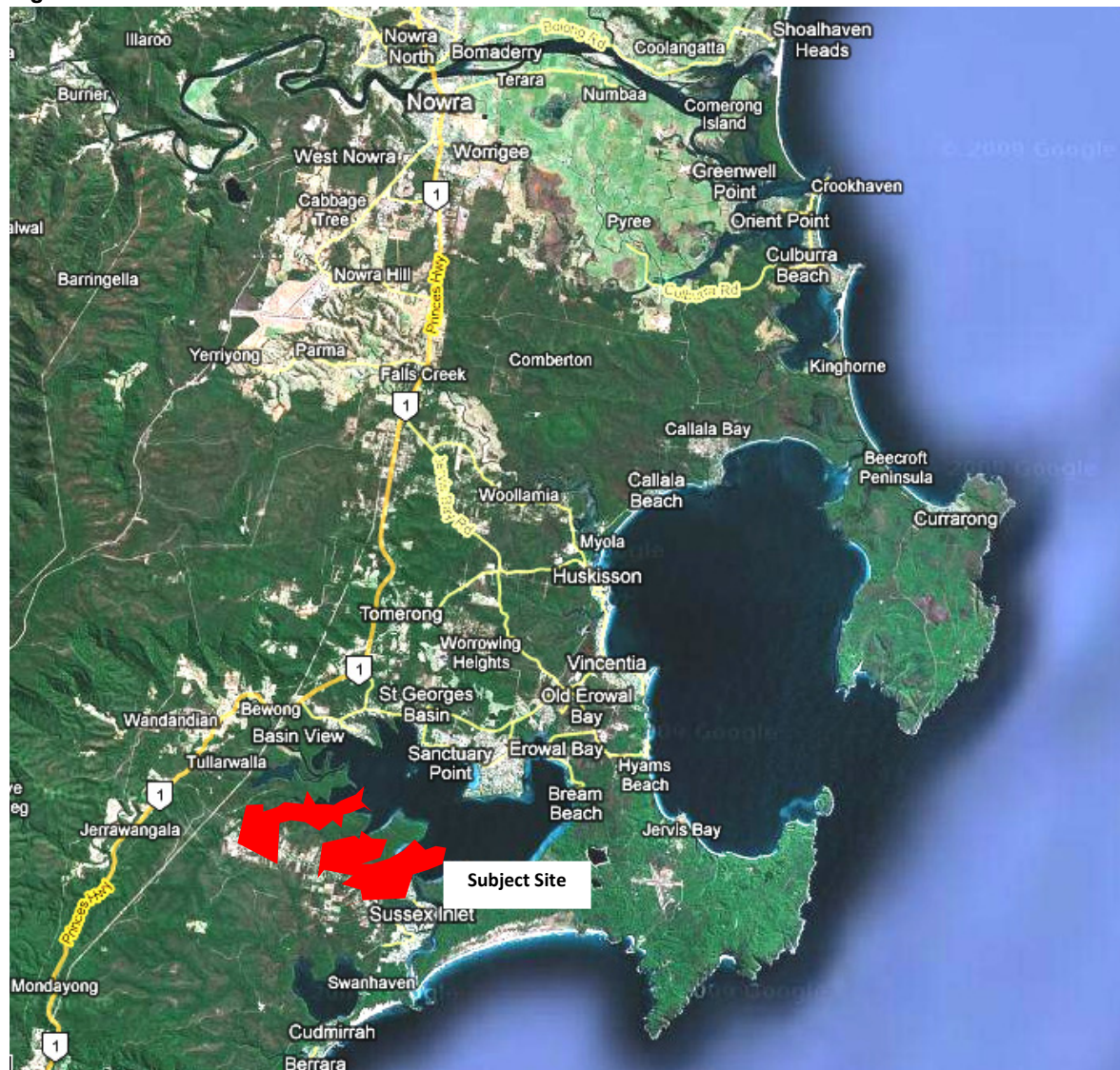
IMB and Miltonbrook have developed a strong partnership over the last 20 years. Together they have developed over 2,200 allotments in the Illawarra. The One Tree Bay proposal is a continuation of this partnership, and the application is submitted as a joint application between IMB Land Pty Ltd and One Tree Bay Pty Ltd.

## **1.3 Development Overview**

The site is located at the southern foreshore of Sussex Inlet, with orientation towards St Georges Basin. It is commonly referred to as the Milallen Estate. It is in two separate land portions has and area of approximately 1,044 ha.

**Figure 1** shows the location of the site.

**Figure 1 – Location Plan**



The development proposal comprises the construction of a new town development at the eastern portion of the site (86.3ha) and dedication of more than 87% of the site as National Park for ongoing conservation purposes.

The development, to be known as One Tree Bay, will have capacity to accommodate approximately 5,000 people, with a minimum of 2000 lots [the final yield will be provided in the EA]. It will be a master planned development and the design is based on the principle of sustainability. The heart of the township is a vibrant town centre, where a mix of residential, commercial, retail, community and tourism uses are located. The town centre is oriented towards St Georges Basin to create a view corridor, framed by active open space, recreational uses, and water front public reserve. Fronting the foreshore public reserve, a strip of retail/restaurant has been planned to activate the future public open space, promote tourism activities and public access to the foreshore. The town centre and the whole township will be serviced by local bus routes to maximise the opportunities for public transport usage.

A hierarchy of density will be incorporated in the subdivision. In the town centre core the density will be medium to high, with a mix of uses including residential apartments. Then within 400-500m of the Town Centre, development will be medium to low density residential housing reducing to low density housing towards the foreshore.



Outside the walkable catchment of the Town Centre, a small neighbourhood centre (including a corner store) will be located towards the centre of the eastern end of the township to service the daily needs of the future residents in One Tree Bay. This ensures that basic services will be within a comfortable walking distance to the majority of residents, minimising the need to use private vehicles. All houses will also be within a short walk of the bus route, which will provide good access to public transport & encourage its use.

Construction of the infrastructure and the subdivision will occur in stages to reflect the market conditions and needs. **Section 3** provides detail on the staging proposal.

Collectively, these stages consist of:

- A minimum of 2,000 residential lots for a variety of housing types
- Dedication of 881ha coastal land as National Park
- Dedication of an average 100m wide foreshore public reserve
- Construction of a boat launching facility and jetty to be dedicated to Shoalhaven City Council
- 16,000m<sup>2</sup> commercial floor space
- 1 school
- Tourism facilities, including accommodation and conference facilities
- Recreational areas

## **1.4 Major Project Application**

Under State Environmental Planning Policy (SEPP) (Major Projects) 2005, certain developments within a coastal area and/or sensitive coastal location are classified as major projects if they satisfy the criteria under Part 3A of the Environmental Planning Assessment Act 1979. Schedule 2 of the Major Project SEPP provides the following relevant criteria:

### ***Schedule 2***

#### ***1 Coastal Areas***

- 1) Development within the coastal zone for any of the following purposes:  
(j) subdivision for residential purposes of land that is not in the metropolitan coastal zone  
(unless it is wholly or partly in a sensitive coastal location):  
(i) into more than 25 lots, or*

The subject site is located within the coastal area and the proposed subdivision is well over the 25 lots threshold under the SEPP for Major Project Development.

The proposal has achieved the initial milestones of obtaining support for the rezoning proposal from Council.

#### **This Major Project Application includes the following components:**

- **Concept Application for the masterplanning of the proposed subdivision, and**
- **Project Application for Stages 1 and 2, consisting of 86 lots**

The latter stages will be subject to further project applications or development applications, depending on the delegation from the Minister/Director General.

Due to the location of the development, it is proposed that a site specific Development Control Plan (DCP) will be submitted as part of the Environmental Assessment. The scope of the DCP is presented in **Section 5.4.2**.

**Chapter 3** provides more details on the proposed development.

## **1.5 Consultation**

The One Tree Bay proposal has been discussed extensively with Shoalhaven City Council and state agencies including the Department of Environment and Climate Change (DECC) and more recently the Department of Planning (both the Strategic Assessment Branch and the Illawarra Regional Office).

The DECC (incorporating the National Parks and Wildlife Service) have indicated their support for the dedication of the proposed substantial land holding as an extension to existing adjoining reserves.

Full details of the extent and specific liaison are included at **Chapter 7**.

## **1.6 Purpose of This Report**

The purpose of this PEA is to present a concept masterplan of the proposed subdivision to the consent authority and identify the potential environmental impacts as a result of the proposal. It is anticipated that this report will lead to the issue of the Director General's Requirements, specifying the full scope of assessment in the next stage which is the preparation of the full Environmental Assessment.

This report also provides the community and interested stakeholders with an indicative scope and staging of the proposed development. Specific details of the proposed works will be submitted in a detailed project approval application following the receipt of the Director General's Requirements.

## **1.7 Project Team**

IMB and OTB have engaged a project team to undertake the necessary project management, urban design, town planning, engineering, water sensitive urban design, ecology and other environmental services for the proposed development. The project team consists of:

- DJM Consultant – Project Management and Town Planning
- Design Urban – Urban Design
- Cardno Forbes Rigby – Engineering, Town Planning and Water Sensitive Urban Design
- Kevin Mills and Associates – Ecology
- Ecological – Bushfire



## **1.8 Structure of This Report**

This report is structured as follows:

- **Chapter 2** describes the physical conditions of the site and an analysis of surrounding land uses, availability and accessibility to services and public transport.
- **Chapter 3** discusses the proposed development and explains the design concept.
- **Chapter 4** identifies the needs of the proposed development.
- **Chapter 5** assesses the compliance with the main environmental planning instruments and legislation.
- **Chapter 6** presents the preliminary environmental assessment of the project.
- **Chapter 7** summarises the outcomes of consultation that has been carried out.
- **Chapter 8** presents the key findings and provides the recommendations of this PEA.

## 2 Site Analysis

*This section identifies the existing site conditions and its context.*

### 2.1 Site Conditions

The site comprises two separate and irregular shaped parcels of land, located on the southern foreshore of St Georges Basin. The site has an area 1,044ha and comprises four separate lots:

#### Western Portion

- Lot 8 DP 755937
- Lot 74 DP 1122624

#### Eastern Portion

- Lot 2 DP 1094024
- Lot 52 DP 1033684

**Figure 2** provides a site plan showing the above lots.

The development area is proposed to be located on the southern peninsula of the site (Lot 52 DP 1033684) and the remainder of the site will be dedicated as a National Park.

There is no current active land use on the site. The site is characterised by existing natural vegetation. Presently, the local residential at Sussex Inlet use the land for camping and other recreational pursuits, and travel into the site to access to the foreshore. There are limited easements on Lot 52. Disturbance of Lot 52 are generally limited to tracks and minor trails. The main access track traverses the site in a west to east direction, off Sussex Inlet Road.

The Sussex Inlet Settlement Strategy has carried out a constraint analysis on the Sussex Inlet area. The Sussex Inlet area is affected by the following constraints:

- Watercourses and riparian corridors
- NSW Coastal zone
- Significant Vegetation
- Bushfire prone land
- Flooding
- Acid Sulphate Soil

This plan is reproduced in **Figure 3** below. Individual constraints are further discussed in **Chapter 6**.





ONE TREE BAY PTY LTD  
IMB LAND PTY LTD

## Site Plan

ONE TREE BAY - SUSSEX INLET

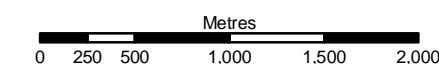
### Legend

- Subject Site
- Major Roads (LPI)
- 10m Contours (LPI)
- Watercourses (LPI)
- Electricity Transmission Line (LPI)
- Cadastre (LPI)
- Conservation Areas (Jervis Bay REP)
- NPWS Reserve (LPI)
- Proposed Parkland
- Proposed Development Footprint
- Proposed National Park



FIGURE 2

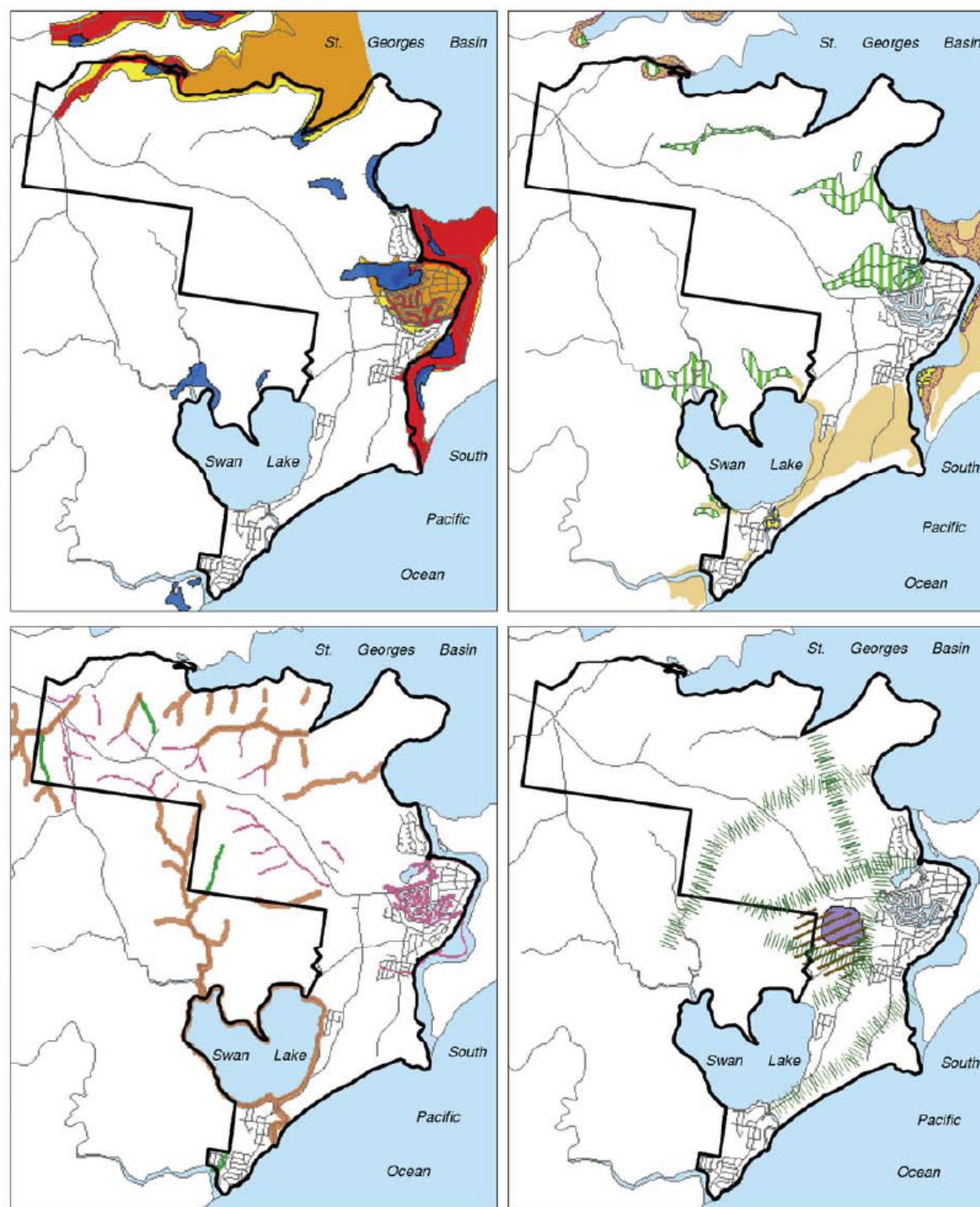
Scale 1:40,000 (at A3)



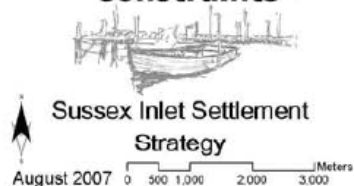
Map Produced by Cardno Forbes Rigby  
Date: 25 March 2009  
Coordinate System: Zone 56 MGA/GDA 94  
GIS MAP REF:  
106053\_04\_4801\_Site\_Plan.mxd 02



**Figure 3 – Constraints Analysis**



**Settlement Strategy  
Investigation Area  
Constraints**



**Legend**

- Study Area
- Sepp14 Wetlands
- Bangalay Sand Forest
- Coastal Saltmarsh
- Swamp Oak Forest
- Swamp Sclerophyll Forest
- Sewerage Treatment Plant Buffer

- Potential Wildlife Connections
- Category 1 Riparian Buffer
- Category 2 Riparian Buffer
- Category 3 Riparian Buffer
- Waste Depot Buffer
- Floodway
- Flood Storge
- Flood Fringe

(Source: Shoalhaven City Council 2007)



## **2.2 Location**

The subject site has direct water frontages including St Georges Basin, Jew Fish Bay, Tullawalla Lagoon and One Tree Bay. The proposed One Tree Bay Township is located on a peninsula of land between Jew Fish Bay and One Tree Bay.

**Figure 4** identifies the site within its local context.

## **2.3 Site Context**

The following uses adjoin the subject site:

- **South** – Existing large lot rural residential properties. Badgee Lagoon is also located south east of the subject site.
- **North** – St Georges Basin water body.
- **East** – St Georges Basin, Jew Fish Bay, One Tree Bay. and the settlements of Badgee, Sussex Inlet and North Sussex Inlet.
- **West** – Large lot rural residential development which directly fronts Sussex Inlet Road, The Conjola National Park and the Tullawalla Lagoon.

The township of Sussex Inlet is the primary centre for a number of smaller surrounding local settlements including (from north to south):

- Badgee
- Swanhaven
- Cudmirrah
- Berrara

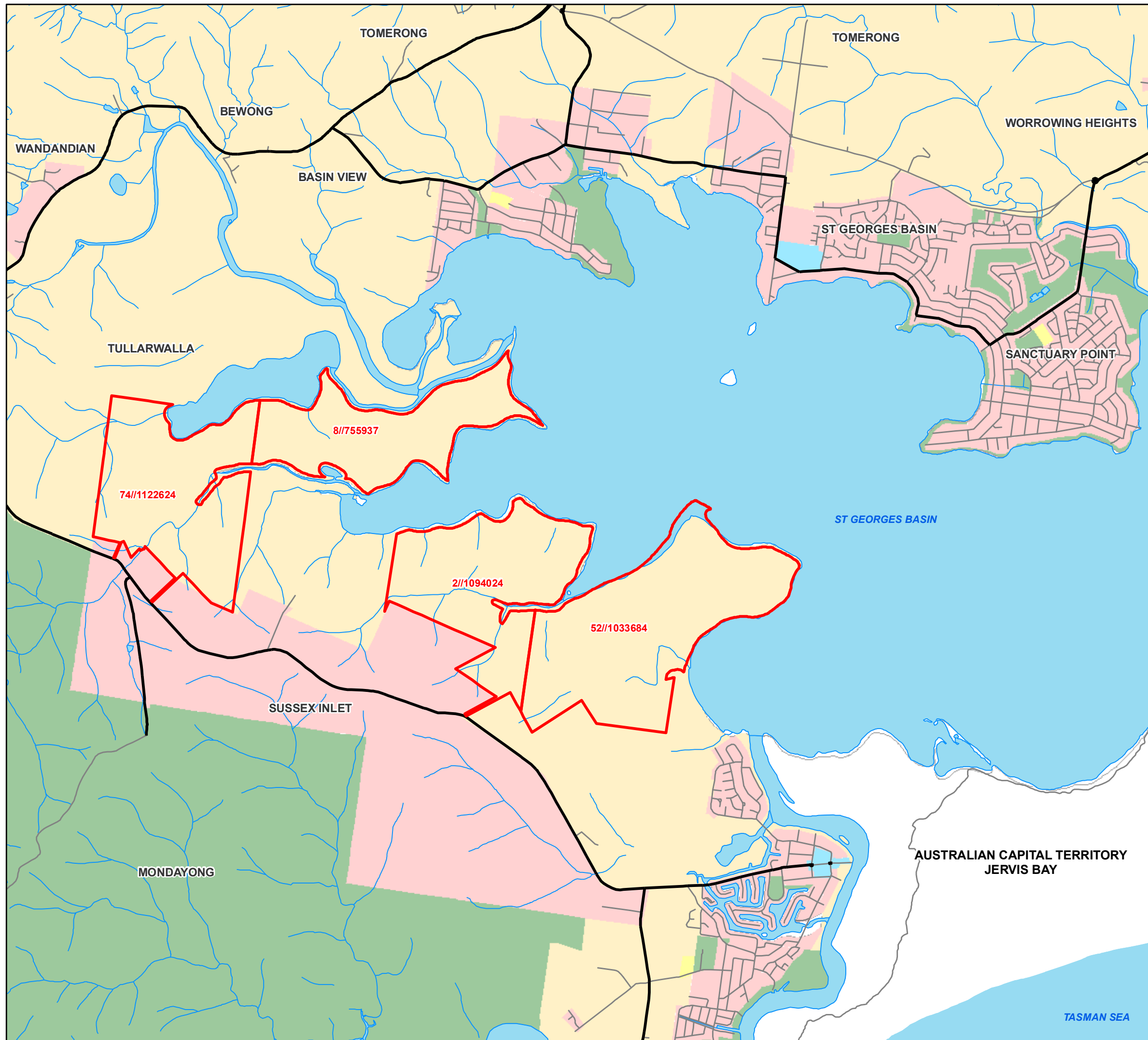
Further from the site, One Tree Bay is located approximately 40km from the closest regional centre at Nowra, where a range of commercial and community activities are located.

**Figure 5** shows the regional context of the site.

## **2.4 Slope and Terrain**

The prevailing topography of the development area is characterised by undulating hills with some steep outcrops and low lying areas that drain towards St Georges Basin. Slopes on the site are in the order of up to 10%, with some greater than 15%. There are two obvious hilltop plateaus in the middle and towards the eastern side of the development area.

**Figure 6** shows the terrain and slope analysis.



**ONE TREE BAY PTY LTD**  
**IMB LAND PTY LTD**

## Local Context

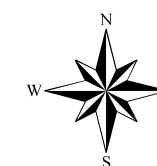
**ONE TREE BAY SUSSEX INLET**

### Legend

- Subject Site
- Major Roads (LPI)
- Local Roads (LPI)
- Watercourses (LPI)
- Waterbodies (LPI)

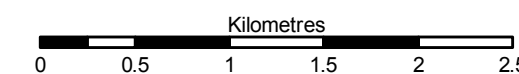
### Land Use (ABS)

- No Data
- Agricultural
- Commercial
- Education
- Parkland
- Residential



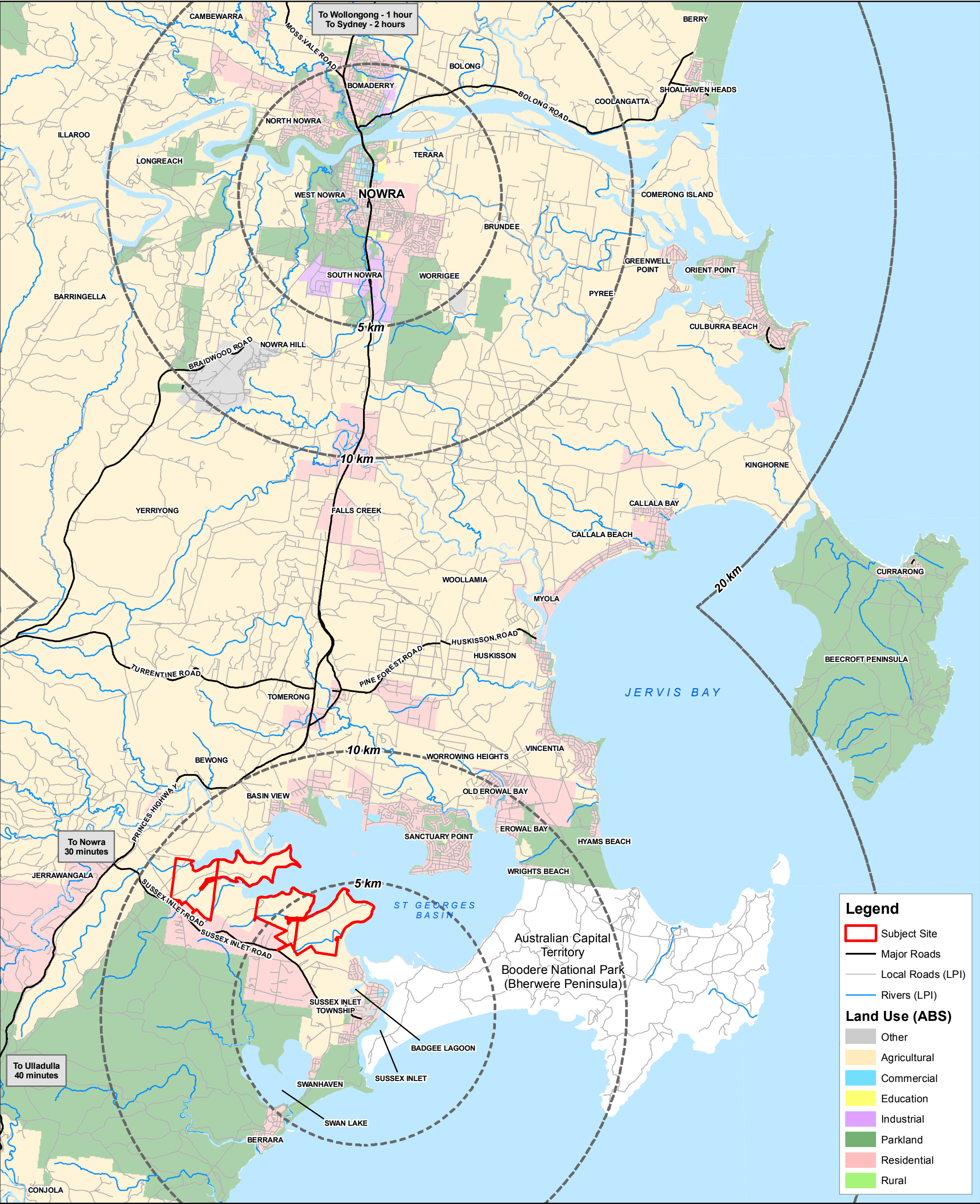
**FIGURE 4**

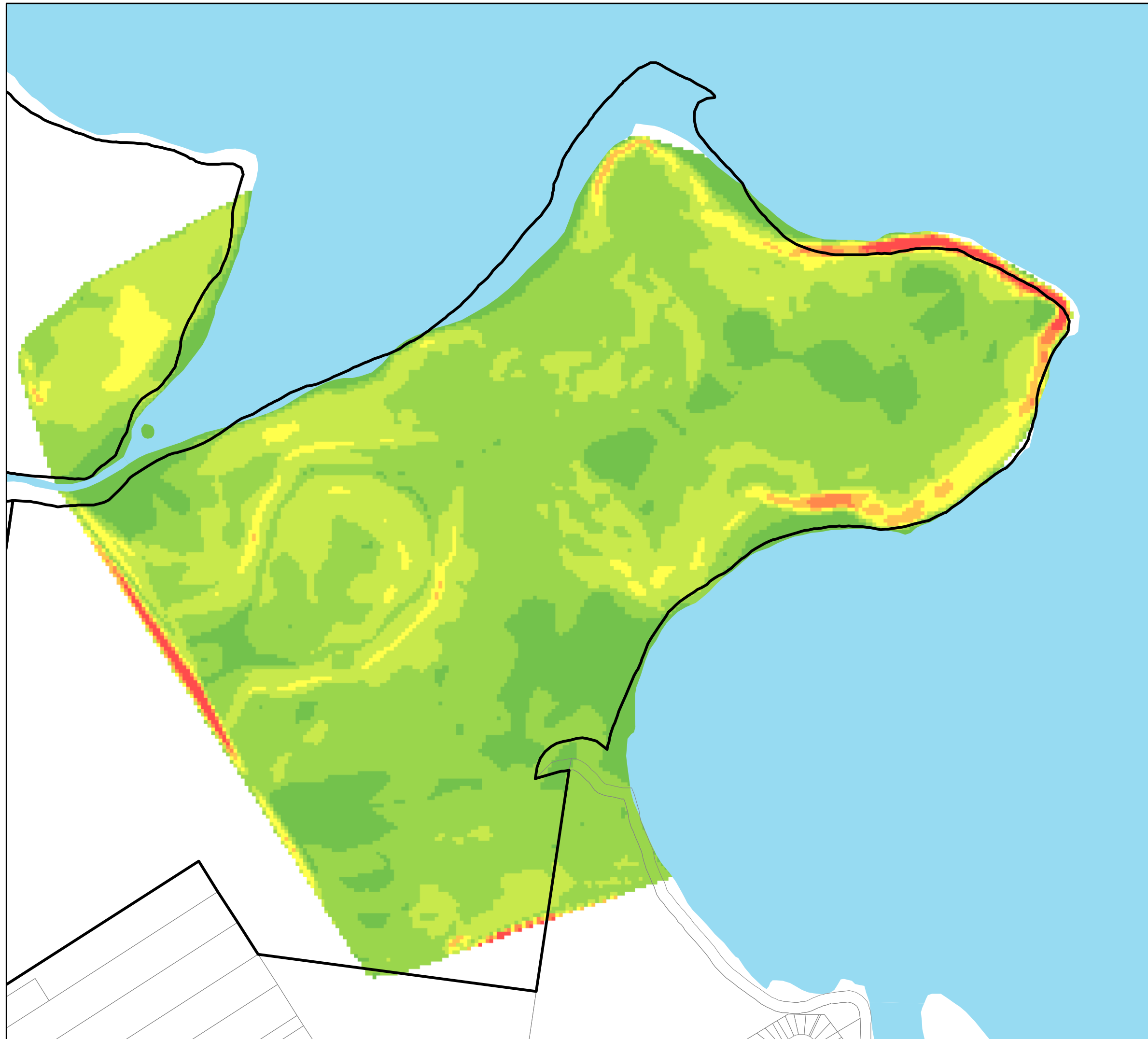
**Scale 1:40,000 (at A3)**



Map Produced by Cardno Forbes Rigby Pty Ltd  
 Date: 19 March 2009  
 Coordinate System: Zone 56 MGA/GDA 94  
 GIS MAP REF:  
 106053-04\_4803\_LocalContext.mxd 01










**ONE TREE BAY PTY LTD  
IMB LAND PTY LTD**








## Slope Analysis

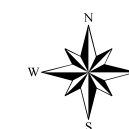
**ONE TREE BAY SUSSEX INLET**

### Legend

-  Subject Site
-  Cadastre (LPI)
-  Waterbodies (LPI)

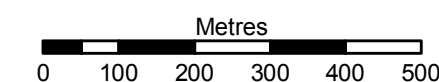
### Slope (Percent) - based on 1m Contours

-  < 1 %
-  1 - 5 %
-  5 - 10 %
-  10 - 15 %
-  15 - 20 %
-  20 - 25 %
-  > 25 %



**FIGURE 6**

**Scale 1:10,000 (at A3)**



Map Produced by Cardno Forbes Rigby Pty Ltd  
Date: 24 March 2009  
Coordinate System: Zone 56 MGA/GDA 94  
GIS MAP REF:  
106053-04\_4806\_SlopeAnalysis.mxd 01



## **2.5 Surrounding Settlement**

The Sussex Inlet website ([www.sussexinlet.info/ussexinlet.html](http://www.sussexinlet.info/ussexinlet.html)) explains that the township of Sussex Inlet is locally known as “the island township” because of the tidal canal development, which has developed south of the township. The 1991 flood which inundated Sussex Inlet provides a graphic demonstration of how the township is isolated during flood which is in part facilitated by the canal estate.

Important contextual aspects of the Sussex Inlet area are summarised below:

- The existing population of the Sussex Inlet area was 4000 people in 2005 (source Sussex Inlet Settlement Strategy).
- The township of Sussex Inlet is partly inundated during flood.
- Sussex Inlet Road is the only connection for the area to the Princes Highway.
- Springs Road is the only connection between the township of Sussex Inlet with Swanhaven, Cudmirrah and Berrara.
- The Conjola National Park adjoins the Sussex Inlet area and is the most significant land use west of the surrounding area.
- A significant area of Commonwealth land also directly adjoins the township of Sussex Inlet (directly east of the Inlet) as part of the Booderee National Park and is known as the Bherwerre Peninsula.
- The Jervis Bay National Park also includes the northern shore of St. George’s Basin. The subject site generally comprises most of the southern shore of St. George’s Basin.
- A significant number of caravan parks are located within the township of Sussex Inlet and in other villages within the locality. These caravan parks account for approximately 7.9% of permanent accommodation in the locality.
- The majority of housing in Sussex Inlet and surrounding areas is single detached cottages (84.6% - Sussex Inlet Settlement Strategy).
- The central commercial area of Sussex Inlet is limited and has a small number of local businesses.
- Sussex Inlet has one of the highest proportions of home based businesses in NSW.

## **2.6 Local and Regional Services**

The existing township of Sussex Inlet is serviced by existing utility services infrastructure, ie. water, sewer, electricity and telecommunications. A description of service availability is provided in **Section 6.7**

Retail and community facilities are limited within Sussex Inlet. The closest major commercial area is located in Nowra. Vincentia, when developed, will contain a new town centre with major supermarkets and department stores.

### 3 The One Tree Bay Proposal

*This section describes an overall vision of the proposal and provides detail description of the One Tree Bay development proposal.*

#### 3.1 Vision for One Tree Bay

The One Tree Bay proposal will constitute a new town development and include a full range of services and facilities to support an expected population of approximately 5,000 people (based on the low forecast dwelling demand and resultant household occupation rates adopted in the Sussex Inlet Settlement Strategy).

The One Tree Bay proposal is to establish Australia's first reduced carbon footprint town. The ecological and environmental aspects of this proposal are significant as both the natural and human environments achieve "best practice" and are in balance with each other, now and into the future. The proposal seeks to render the existing settlement at Sussex Inlet more sustainable.

#### 3.2 Development Components

The development components are summarised as follows:

<b>Site Area</b>	1,044ha
<b>National Park dedication</b>	881ha as National Park
<b>Public reserve dedication</b>	Average 100m wide national foreshore public reserve, to be dedicated as National Park
<b>Development Area</b>	163ha

Table 3.1 summarises the development components within the subdivision.

Table 3.1 – Key Development Components

Development Component	Indicative Yield/Floor Space
<b>Residential [the following details are the minimum indicative yields – final yields will be detailed in the EA]</b>	
Residential Dwelling	1,550 dwellings
Town centre apartments	250 apartments
Retirement Village (estimated )	200 units
Affordable/Modular Housing	Depend on market demand
<b>Commercial</b>	
Retail	8,500 m <sup>2</sup>
Other Commercial	7,500 m <sup>2</sup>
<b>Community/Recreational</b>	
Lakeside Reserve	37 ha
Community Use (eg. Primary School, chapel)	10.13 ha
<b>Stormwater Management</b>	
Stormwater management	8.5 ha

The overall Masterplan of the proposed development is provided at the front of this report, after the **Executive Summary**.

The different components of the subdivision are described in **Table 3.2**.

**Table 3.2 – Description of Development Components**

<b>Development Components</b>	<b>Description</b>
<b>Development Area</b>	<p>Development will be located within Lot 52. Indicatively, the area for development will be no less than 163ha. The proposed development footprint is shown on <b>Figure 7</b>. Concept approval is being sought for the urban use of the land shown on Figure 7.</p> <p>This development area was determined to avoid the significant wetlands and riparian corridors within the rest of the site. This development area was determined in consultation with DECC to identify areas for National Park dedication.</p>
<b>Residential</b>	<p>The subdivision will include a minimum of 2,000 residential dwellings with a range of housing types, including:</p> <ul style="list-style-type: none"> <li>• 77% - low to medium residential development, majority of which will be in torrens title</li> <li>• 13% - apartment units within the Town Centre</li> <li>• 10% - seniors housing.</li> </ul> <p>The total residential yields will be provided in the EA.</p>
<b>Commercial</b>	<p>The proposed Town Centre will be the heart of the subdivision. The Town Centre will be defined by the main street, which has been designed to create a view corridor towards the proposed jetty and St Georges Basin to the north, and the proposed chapel to the south.</p> <p>The main street will be lined by active uses, and will include a small supermarket and a range of shops and commercial activities. Residential development, mostly in the form of shop top apartments will be located within the Town Centre to provide a mixed use environment within the heart of the township. Future buildings will be predominately 3-4 storeys in height.</p>
<b>Community</b>	<p>A range of community facilities has been planned for in the proposed subdivision. These include:</p> <ul style="list-style-type: none"> <li>• Primary school</li> <li>• Community hall</li> <li>• Town Square</li> <li>• Sports Field</li> <li>• Chapel</li> <li>• Local community parks</li> </ul> <p>The proposed masterplan has allowed land for the above facilities. Some facilities will be provided by the relevant authorities.</p>
<b>Tourism</b>	<p>The northern end of the main street opens up to the proposed boat jetty. A strip of tourism retail facilities are proposed to face the open space area and St Georges Basin. These facilities would include cafés, restaurants, boat hiring shops and specialist shops. A boat ramp and jetty are proposed on the foreshore of St Georges Basin for public access. The foreshore of St Georges Basin is Crown Land and the consent of the Lands Department has been obtained to the lodgement of the PEA/EA.</p>
<b>Lakeside parkland</b>	<p>The proposed subdivision is set within an open space setting. The perimeter of the development area will be retained as native coastal bushland, with some modifications made to encourage public access to the foreshore (eg. picnic area, chairs, walking trail, car park). This land will be dedicated for public use, in addition to the lots that are to be dedicated to the National Park (see below).</p>
<b>Land Dedication</b>	<p>84% of the subject site is proposed to be dedicated to National Park. This includes the whole of Lots 8 DP755937, Lot 74 DP 1122624, Lot 2 DP 1094024 and part Lot 52 DP 1033684 (excluding the development area).</p>

The site comprises 1,044 hectares and 18 kilometres of coastal lake foreshore along the southern shores of St Georges Basin. It is proposed to dedicate in excess of 84% of this land for public control. Approximately 16% of the site (163ha) is proposed to be developed as a sustainable, walkable, compact new extension to Sussex Inlet.



The overall Masterplan of the proposed development is provided at the front of this report, after the **Executive Summary**.

### **3.3 Indicative Staging**

Development of the site will be carried out in stages. Each stage will consist of approximately 40-50 residential lots and the associated reticulated services, as well as the dedication of a section of the water front bushland as foreshore public reserve. This stage by stage dedication can allow IMB and OTB to undertake the required works within these lands and to provide flexibility in the design and location of future infrastructure within this coastal strip.

An indicative staging plan is provided in **Appendix B**.

### **3.4 Proposed Voluntary Planning Agreement**

One Tree Bay is to be developed as an integrated new town with access from Sussex Inlet Road. It is proposed that the development will provide the access to the site from Sussex Inlet Road, internal roads, drainage, internal open space, dedicated local and regional open space and infrastructure.

The EA will provide the scope of an intended voluntary planning agreement (VPA) to facilitate the provision of these services and the dedication of land. Suggested contributions towards the provision of external services such as pro-rata water and sewerage headworks, trunk mains and pumping stations and necessary pro-rata external roadworks improvements will be included in the VPA.

### **3.5 Works Subject to Concept Application**

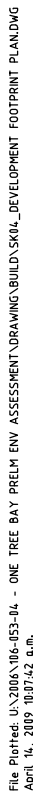
The Concept Application comprises the One Tree Bay masterplan and the associated land dedication within each stage. The concept masterplan is shown at the front of this report, after the Executive Summary. The masterplan is only preliminary and provides a general layout of the subdivision. It is envisaged that the masterplan will be further developed in the EA stage in response to the outcomes of the specialist studies and issues raised by DoP and other agencies during the consultation.

The concept application seeks approval for the following proposal:

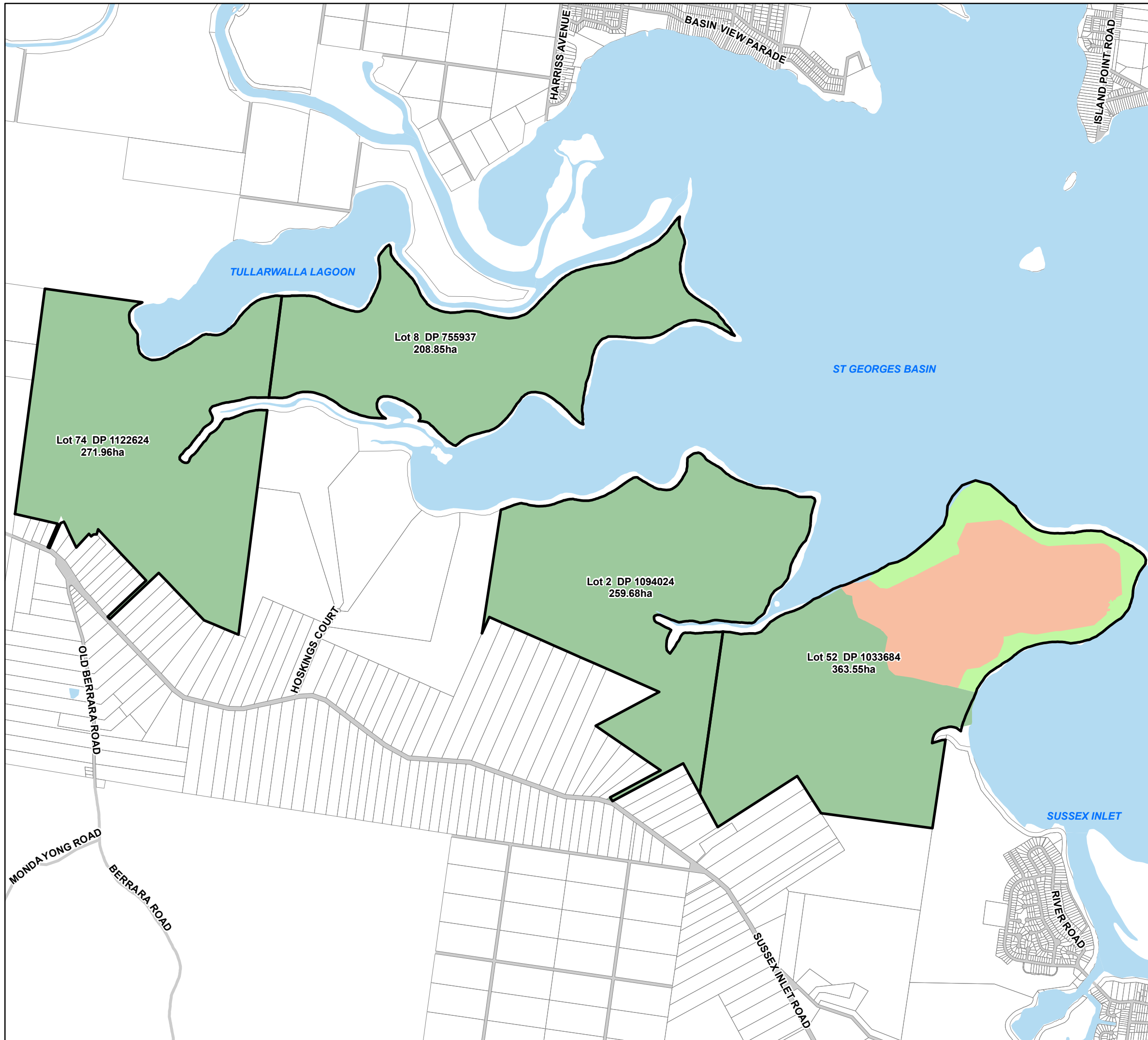
- Masterplan of One Tree Bay township, which consists of a minimum of 2,000 dwellings of varying housing types, a mix of commercial and tourism facilities. This is shown in **Figure 7**.
- Indicative staging in accordance with **Appendix B**.
- Indicative infrastructure staging to facilitate the development (see **Section 6.7**)
- Dedication of land outside the development area as National Park (**Figure 8**)

Conceptually, One Tree Bay has been designed based on a number of key urban design principles:

- *Creating a Compact, Sustainable, and Walkable Village*
- *Reducing Ecological Footprint*
- *Ensuring Housing Affordability*
- *Establishing a Mixed Use Town Centre*
- *Protecting St Georges Basin*
- *Protecting the most environmentally sensitive and valuable land through dedication to National Park*



A horizontal scale bar divided into 12 numbered segments. Below the segments are tick marks for 100mm, 200mm, and 300mm.



ONE TREE BAY PTY LTD  
IMB LAND PTY LTD

## Land Dedication

ONE TREE BAY SUSSEX INLET

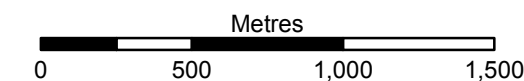
### Legend

- Subject Site
- Cadastre (LPI)
- Waterbodies (LPI)
- Road Corridor (LPI)
- Proposed New Township (120 ha)
- Foreshore Public Reserve (43 ha)
- National Park (881 ha)



FIGURE 8

Scale 1:25,000 (at A3)



Map Produced by Cardno Forbes Rigby Pty Ltd  
Date: 14 April 2009  
Coordinate System: Zone 56 MGA/GDA 94  
GIS MAP REF:  
106053-04\_4805\_LandDedication.mxd 03



### **3.5.1 Compact and Walkable Village**

Compactness and walkability are key issues to achieving long term sustainability in a township. The compact urban footprint proposed for One Tree Bay will ensure the majority of residents live within a relatively short walk of local services, which leads to a higher efficient in the utilisation of those services and a wider range of services being viable.

Providing a safe, pleasant and relatively direct walk to the town centre are also essential. This will be achieved through the use of CPTED principles in the urban design (to create safe streets), installation of footpaths and substantial street trees and application of consistent architectural controls (for an easy & pleasant walking experience) and the utilisation of a grid street network (for direct access to the centre).

These design considerations will also generate other positive social outcome, including:

- Increased social interactions and reduced social isolation
- Reduced vehicle use by up to 30%
- Improved physical & mental health

The Miltonbrook Group have taken this approach when designing Tullimbar, a new village in the Illawarra, where close attention was also paid to architectural character.

**Figure 9** illustrates this concept.



*Examples of housing design at the Miltonbrook Group's Tullimbar Village*





ONE TREE BAY PTY LTD  
IMB LAND PTY LTD

## Sustainable Village

ONE TREE BAY SUSSEX INLET

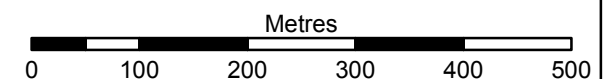
### Legend

- Subject Site
- Proposed Bus Route
- Waterbodies (LPI)
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Special Uses
- Bushland
- Open Space



FIGURE 9

Scale 1:7,000 (at A3)



Map Produced by Cardno Forbes Rigby Pty Ltd  
Date: 14 April 2009  
Coordinate System: Zone 56 MGA/GDA 94  
GIS MAP REF:  
106053-04\_4804\_SustainableVillage.mxd 03





### **3.5.2 Reducing the Ecological Footprint**

The proposal provides a significant carbon sink in the form of a new National Park. In addition, the proposal will include the incorporation of “best practice” design to reduce household emissions, power use, water use, travel distances and use of natural resources. The creation of a new mixed use town centre which is within easy walking distance of residents will have a significant impact on reducing fossil fuel use. Currently residents are driving a 90km round trip to Nowra to access basic services. These travel distances will be dramatically reduced when many of the basic services are provided at One Tree Bay. The sustainability benefits created by One Tree Bay will also benefit Sussex Inlet, Cudmirrah, Swanhaven and Birrara. The additional population is also likely to trigger the provision of a high school in the Sussex Inlet precinct, reducing the current need for families to travel daily to Vincentia.

Houses will be designed to optimise solar orientation to reduce the need for heating and cooling. This will reduce power needs and the associated greenhouse gas emissions. Solar heating of water will be provided. The development partners are investigating the collection and cleaning of stormwater through a “third pipe” system for the use of flushing toilets and watering of gardens. Details of this system will be presented in the development application. It is estimated that these measures could halve the greenhouse gas emissions from households. The balance will be absorbed by the dedication and protected in perpetuity for bushland purpose, creating One Tree Bay as a reduced carbon development.

### **3.5.3 Housing Diversity and Affordability**

Despite zoning for diversity, the market tends to only deliver diversity when there are compelling reasons to produce a diverse range of housing. The provision of a mixed use town centre is a factor which will trigger housing diversity. It is proposed that 50% of the housing will be conventional housing, while the balance will provide for a wide range of markets currently not being provided for in the region. This will include such diverse housing as studio units above garages, “shop-top” housing, quality town centre apartments, courtyard housing, manufactured housing, “double-singles” for single person households, retirement housing, and co-housing for particular segments of the market, 2-storey family homes, home-based business products, single bedroom, 2 bedroom, and three bedroom homes. The concurrent development of a high quality town centre and the supporting grid pattern street network with rear lanes will form the basis for creating a market which will sustain a mix of households and housing types.

It is critical to achieve housing diversity to avoid the continued creation of the social mono-culture which is common in many rural areas. The proposed new town centre is a key element of the strategy to create a sustainable community.

One Tree Bay has the triple objectives of providing choice, diversity and affordability. Research confirms that 30% of the housing market comprises single person households. The One Tree Bay proposal addresses affordability by providing the range of housing types outlined above and by achieving economies in urban infrastructure provision attributable to the settlement layout and allotment sizes.

### **3.5.4 A Mixed Use Town Centre**

The proposed new town centre follows the urban development pattern of the great towns of the NSW South Coast. These are based on a mixture of compatible uses located along an interconnected network of streets focussed on a main street.



*Example of a traditional Main Street*



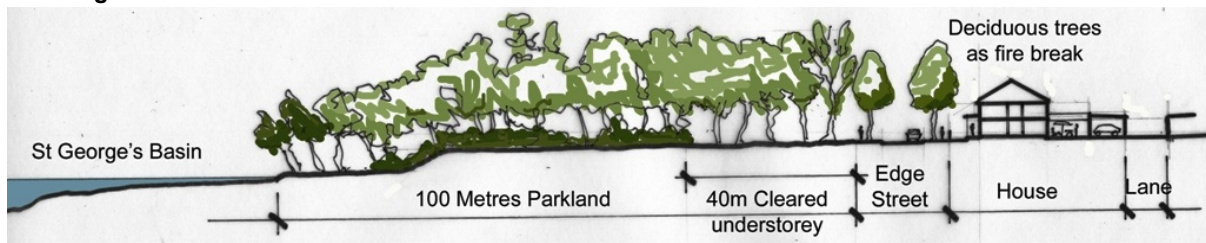
*Main Street at Tullimbar Village, developed by Miltonbrook Group*

Not only do these town centres provide basic services, but research has shown that they become the focus of tourism and job creation. It is anticipated that over 850 permanent jobs will be created in the One Tree Bay town centre. This will further reduce the need to travel to other centres for employment. The centre will be designed to be compatible with the existing Sussex Inlet centre, which will enjoy the benefit of increased patronage from an increased population.

### 3.5.5 Protecting St Georges Basin

Rather than create a town with new development on the foreshore, the proposal is to be set back a minimum 100m from the shoreline in order to maintain the natural edge to St Georges Basin. This perimeter bush land is proposed to be dedicated as public parkland, giving the broader community access to the southern shores of St Georges Basin. Public access will include a new boat ramp.

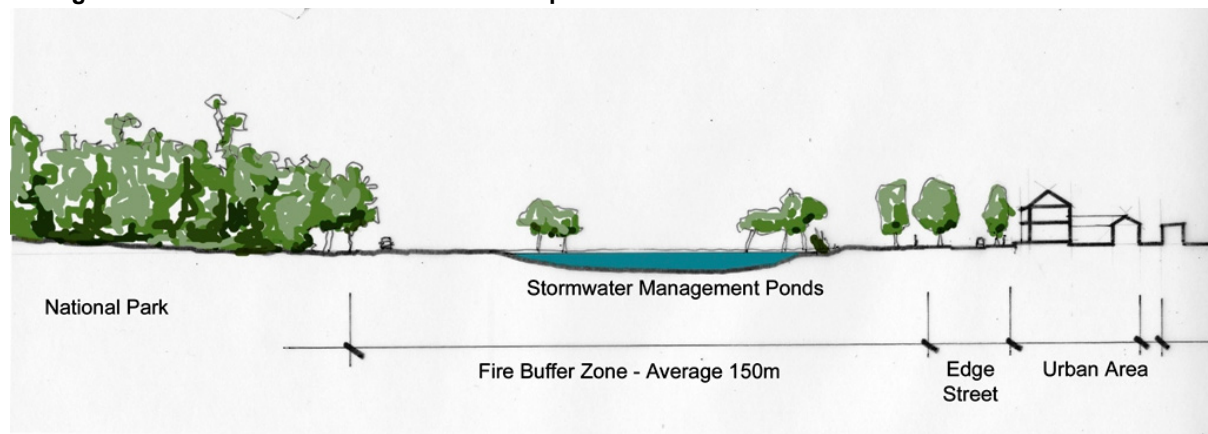
**Figure 10 – Section Showing the Relationship between the Residential Development, Coastal Parkland & St Georges Basin**



To ensure that there is no net gain of nutrients entering St Georges Basin, the land set aside for storm water management and stripping of nutrients has been increased from the usual 3% of the development site to 8%. This and the location of water quality control ponds will perform two functions. The first is nutrient stripping, while the second is to protect the urban area from bushfires. As One Tree Bay is surrounded on three sides by water, the only bushfire risk would come from the south-west. The water quality control ponds have been located to protect the town from this threat and provide a source of water for fire-fighting.



**Figure 11 – Section showing the Relationship of the National Park, the Proposed Storm Water Management Ponds and the Residential Development**



### **3.5.6 Protecting the Most Environmental Sensitive Land as National Park**

The proposal involves the dedication of more than 84% of privately owned land to National Park for environmental conservation purposes. There are two components of land dedication:

- All allotments outside the development area (the whole of Lot 8 DP 755937, Lot 74 DP 112624, Lot 2 DP 1094024, and part Lot 52 DP 1033684).
- An average 100m wide coastal strip around the development area for parkland

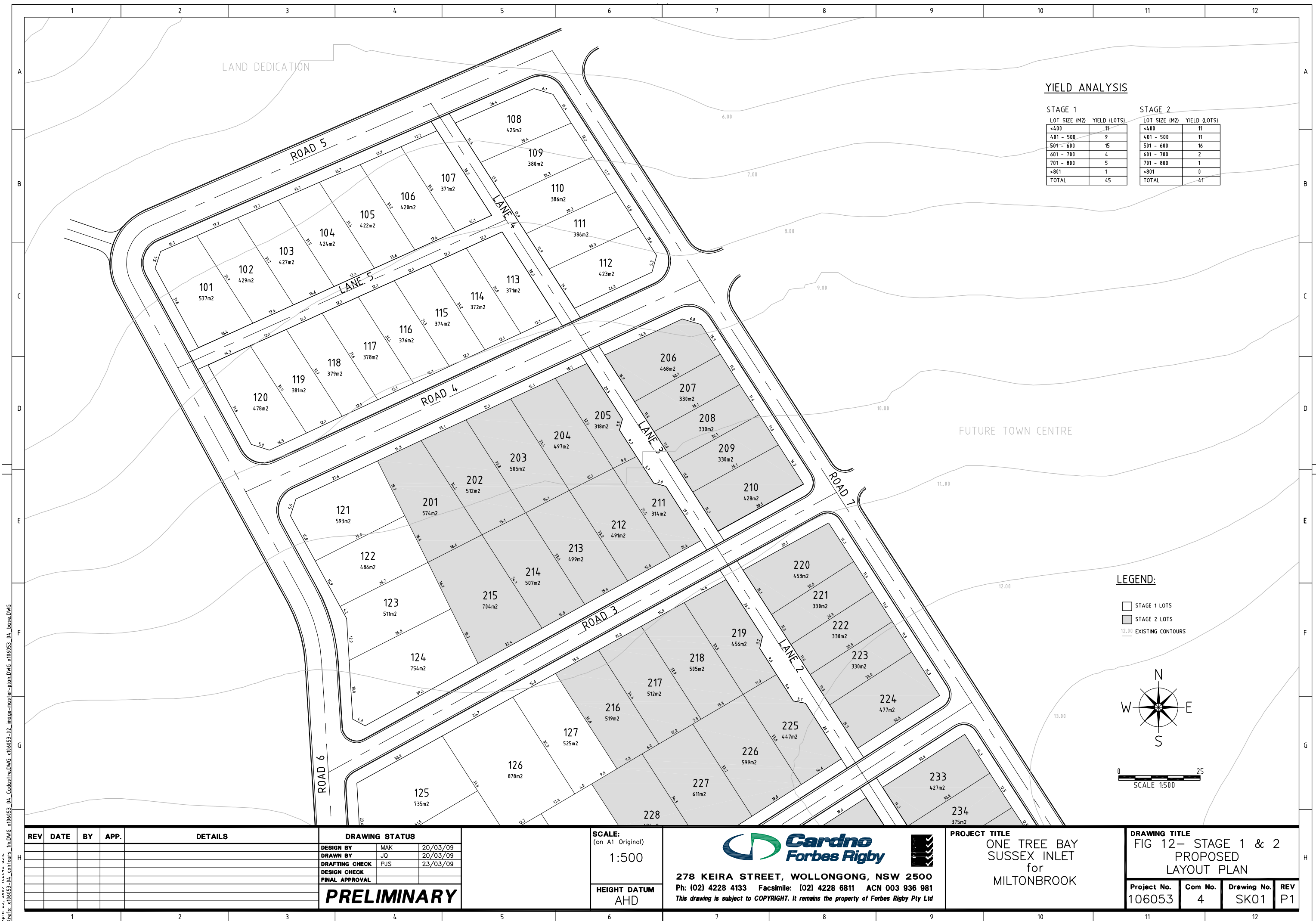
Miltonbrook has amalgamated the titles of these coastal lots to eliminate the need for National Park to negotiate with individual land owners. From an environmental conservation and management point of view, this 881ha of National Park can allow a more consistent management of these coastal lands, and to ensure St Georges Basin be managed in a whole of catchment approach and, in the longer term, encourage controlled public access to the coastal areas.

## **3.6 Works Subject to Project Application**

The proposed works subject to the project application include:

- Dedication of the whole of Lot 8 DP 755937, Lot 74 DP 112624, Lot 2 DP 1094024, Part Lot 52 DP 1033684 (outside the development area) as National Park
- Construction and dedication of a boat ramp and jetty to Council, and dedication of Part Lot 52 for foreshore public reserve. The details shown on Figure 2 are indicative only and will be subject to further design in the EA. The immediate foreshore of St Georges Basin is Crown Land and a copy of the owner's consent letter from the Department of Lands accompanies this PEA.
- Construction of Stages 1 and 2 of the subdivision (to lot level) and the associated reticulated infrastructure
- Construction of an access road from Sussex Inlet Road to the proposed township
- Construction of lead in infrastructure to service the proposed development
- Subdivision of Lots 2 and 52 to allow the construction of the road and dedication of part of this lot to National Park

**Figure 12** shows the proposed subdivision in Stages 1 and 2.







## 4 Justification for the Proposed Development

*This section addresses the justification for the One Tree Bay proposal in the context of the relevant planning strategy documents applicable to the One Tree Bay area.*

### 4.1 Housing Market Sussex Inlet

#### 4.1.1 Housing Needs

Shoalhaven City Council has undertaken a number of planning studies with respect of the future growth in the Sussex Inlet area. These include:

- *The Sussex Inlet Settlement Strategy (SISS)*
- *Ageing in Place*
- *Shoalhaven Housing Strategy 2006*

Patrick Partners Pty Ltd has addressed in detail housing demand in relation to the various planning strategy documents and a variety of social and economic implications of the One Tree Bay Proposal. The report is submitted with rezoning application (Appendix B).

The studies considered the potential population growth and the demand for housing in the Sussex Inlet area. The 2006 census provided a population of 3,620 in Sussex Inlet. Since 1996, growth in the Sussex Inlet area has generated approximately 1,000 additional persons, which equates to an increase of 37%.

**Table 4.1** shows the existing trend of population growth for the past 10 years.

**Table 4.1 – Population Growth in Sussex Inlet**

Year	Population	Growth (person pa)	% pa
1996	2,650		
2001	3,020	74	3%
2006	3,620	120	4%

(Source: ABS Census)

Sussex Inlet has been the subject of a rezoning moratorium since the 1990s, which was placed by the State Government to prepare a long term plan for the future development of the area. The basis for projecting future growth for Sussex Inlet is therefore complicated by the moratorium, which has significantly restricted land supply in the locality. On the other hand, there was a high demand for coastal living in the recent years. These two factors have led to the significant increase in the prices of the houses in the local area. In addition to these, the SISS has identified a number of factors contributing to population increase:

- Strong underlying population growth in the Shoalhaven LGA is forecast to continue and long term trends would suggest continued demand in the housing market. Council has adopted population forecasts which would see the overall Shoalhaven LGA population increase from 87,650 people in 2001 to 141,990 in 2036.
- The 'sea change' phenomenon has been a driving force on housing demand in the study area and this is likely to continue. In many instances, properties are initially purchased as an investment with a view to retiring to the locality in the future.
- There is a relatively limited supply of new residential land in the wider Illawarra area to the north.



On the basis of the above factors, HILL PDA, as part of the Sussex Inlet Settlement Strategy provided estimates for population growth in Sussex Inlet and the associated demand for dwellings. This is shown in **Table 4.2**.

**Table 4.2 – Population Forecasts for Sussex Inlet Area**

*Low Forecast*

<b>Forecast Dwelling Demand for Sussex Inlet Area - Low Forecast</b>			
<u>Year</u>	<u>Forecast Population</u>	<u>Cumulative Net Population Increase</u>	<u>Resultant Cumulative Dwelling Demand</u>
2005	4,000		
2010	4,424	424	283
2015	4,806	806	537
2020	5,174	1,174	783
2025	5,543	1,543	1029
2030	5,911	1,911	1274
2035	6,267	2,267	1511

*Medium Forecast*

<b>Forecast Dwelling Demand for Sussex Inlet Area - Medium Forecast</b>			
<u>Year</u>	<u>Forecast Population</u>	<u>Cumulative Net Population Increase</u>	<u>Resultant Cumulative Dwelling Demand</u>
2005	4,000		
2010	4,526	526	350
2015	5,120	1,120	747
2020	5,793	1,793	1195
2025	6,554	2,554	1703
2030	7,416	3,416	2277
2035	8,390	4,390	2927

*High Forecast*

<b>Forecast Dwelling Demand for Sussex Inlet Area - High Forecast</b>			
<u>Year</u>	<u>Forecast Population</u>	<u>Cumulative Net Population Increase</u>	<u>Resultant Cumulative Dwelling Demand</u>
2005	4,000		
2010	4,751	751	500
2015	5,642	1,642	1095
2020	6,701	2,701	1801
2025	7,959	3,959	2639
2030	9,453	5,453	3635
2035	11,227	7,227	4818

Source: Hill PDA advice prepared as part of the Settlement Strategy investigations

(Source: Shoalhaven City Council (2007))

Shoalhaven City Council, in their other planning documents, has adopted a population forecast of 6,129 by the year 2036. Council considered this to be broadly in line with the 'low' scenario.

#### **4.1.2 Socio Demographic Trends**

Patrick Partners Pty Ltd has undertaken detail investigations on the housing demand in Sussex and Inlet and the economic implications of the proposed development. Both Patrick Partners and the SISS highlighted the following concerns relating the future growth of the area:

- There are concerns on the age structure and housing diversity in the area. It was projected in the SISS that the percentage of people aged 65+ would grow from 23% in 2005 to 35% in 2035. In fact, the 2006 Census shows that 35% of the population within the area is now 65+, compared with the state average of 13.8%, which reflects a high level of migration to the locality.
- Another issue is the proportion of residents in the “productive” years of 25-34. In 2006, 26% of the Sussex Inlet population fell within this age bracket, compared with 42% for the State.
- There is also concern regarding the young people leaving the area to live, work and study elsewhere. Only 6.8% of the population in Sussex Inlet fell in the age group of 15-24 years old in 2006, the same as in 2001. This is compared with the 13.3% State average. Patrick Partners suggested a community with more resources, wider range of housing types and a quality urban setting to attract and keep the young group of people in the community.
- Sussex Inlet also exhibits a high level of unoccupied housing (36.7% compared with the LGA figure of 26.1% and the NSW State average of 8.9%). This reflected the shortage of owner-occupied stock associated with the moratorium. The report suggested a wider mix of housing along with access to good social and economic resources to change the base characteristics from a retirement and holiday recourse to a more balanced and diverse community.
- Sussex Inlet average household income level is 12% lower than the Shoalhaven average and 30% lower than the Illawarra average. This can be attributable to the low workforce participation rate (only 19% of working age adults were employed).

#### **4.1.3 Housing Supply**

In terms of supply, the State government moratorium has significantly restricted land supply in Sussex Inlet. Constraining land supply creates a shortage of the resource and leads to price increases. The SISS shows that the housing values rose from just over \$100,000 in 1995 to just under \$350,000 in 2004.

The SISS states that the type of housing available in Sussex Inlet area has remained relatively static. There is a high proportion of separate or detached houses within the Sussex Inlet area and a relatively low proportion of medium density or other housing forms. The Strategy forecast that the demand for medium density housing and smaller lots will tend to increase, reflecting a combination of the ageing population and the high number of single person households within the area.

#### **4.1.4 Discussion**

Patrick Partners drew the following conclusions on the housing market of Sussex Inlet:

- The area lacks a critical population base around which it can built its social and economic infrastructure
- The Sussex Inlet area is foregoing basic community services in areas of private and community health, schools, library, sporting facilities, retail, employment and public transport as a consequence of its current size and isolation.
- The present range and quality of housing stock is not suited to the age profile of the exiting community. A problem that is getting worse with time.



- The current community has an unbalanced age structure that has implications for council and other government agency service delivery.
- The current community has low socio-economic characteristics.
- Study area residents must travel substantial distances for many basic neighbourhood level goods and services.
- Underlying demand for housing in the Sussex Inlet area is high despite relatively poor current housing stock and low levels of community and economic infrastructure (which influence housing demand).
- The Sussex Inlet community is aging faster than envisaged by either the SISS or the “A Place for Aging” studies (as a consequence of migration that has occurred since 2001).
- The Sussex Inlet community has a high ratio of people working from home (10% compared with the NSW average of 5% - 2001 Census). Home based business should ideally have access to the resources of a village (urban) centre. Otherwise these workers lack social and business support networks (the “cabin fever” condition).

## **4.2 Future Growth in Sussex Inlet**

The South Coast Regional strategy identified Sussex Inlet as a location for potential growth. The SISS identifies land available for residential development and this has a maximum capacity for an additional 1,300 dwellings leaving a deficit of between 211 and 3,518 dwellings, depending on the assumed growth rate. Council has adopted a growth Shoalhaven City Council, in their other planning documents, has adopted a population forecast of 6,129 by the year 2036.

The achievement of a dynamic and evolving Sussex Inlet has been somewhat compromised by a development moratorium which has prevented the community from growing and becoming more diverse in its socio-economic structure and its general sustainability.

The SISS prepared as a joint project between Shoalhaven City Council and Department of Planning has provided long term housing strategy for Sussex Inlet, which has subsequently led to the lift of the moratorium.

Five separate parcels of lands have been identified as the key investigation areas to accommodate future growth. **Figure 13** shows these investigation areas. The Strategy was adopted by Council in August 2007.

The SISS focuses on opportunities for urban consolidation within existing areas. suggests that infill development in the existing Sussex Inlet Township might deliver an additional 300 dwellings. It also suggested that these additional dwellings will support additional services at Sussex Inlet. Accommodating these new services may require demolition of existing housing stock adjacent to the existing town centre as there is little or no flood free land for these additional facilities, thereby reducing the positive impact of infill housing.

The Strategy concluded that the primary source of new housing would be the Badgee investigation area, with has a site area of approximately 170ha. It was anticipated that the land can yield approximately 1,000 dwellings of varying types and sizes. The secondary source will be the Crown Land, which may yield approximately 300 dwellings. Together with the other minor opportunities for additional housing identified in this Strategy, this may see a total of **1,300 – 1,400 dwellings** being provided in the Sussex Inlet in the future. This yield is, however, subject to further resolution on the environmental issues in Badgee.

The South Coast Independent Review Panel (IRP) has questioned the appropriateness of much of the land recommended by the SISS for development. The Badgee land, which would deliver approximately 1000 of the 1300 lots in the SISS was not recommended for development by the IRP. If elements of the SISS are unable to be implemented, then likely growth for Sussex Inlet would fall somewhere between the medium and high projects in the SISS. This would mean a total population

by 2031 of around 8,000 persons. This possible population figure would occur as a consequence of excluding the Badgee land but would include an additional 5000 people at One Tree Bay.

The IRP has also identified a series of economic, social and financial growth issues that it believed should be addressed when considering the need for further land release, these included:

- *“The need to plan for additional urban expansion on the South Coast to meet the pressures from accelerated population growth, economic development and tourism.*
- *The need to increase the size of settlements to improve the sustainability of South Coast towns and villages through added facilities and services.*
- *The subject sites are included in the servicing strategies prepared by each of the Councils, and the importance of these areas for meeting Council financial commitments.”*

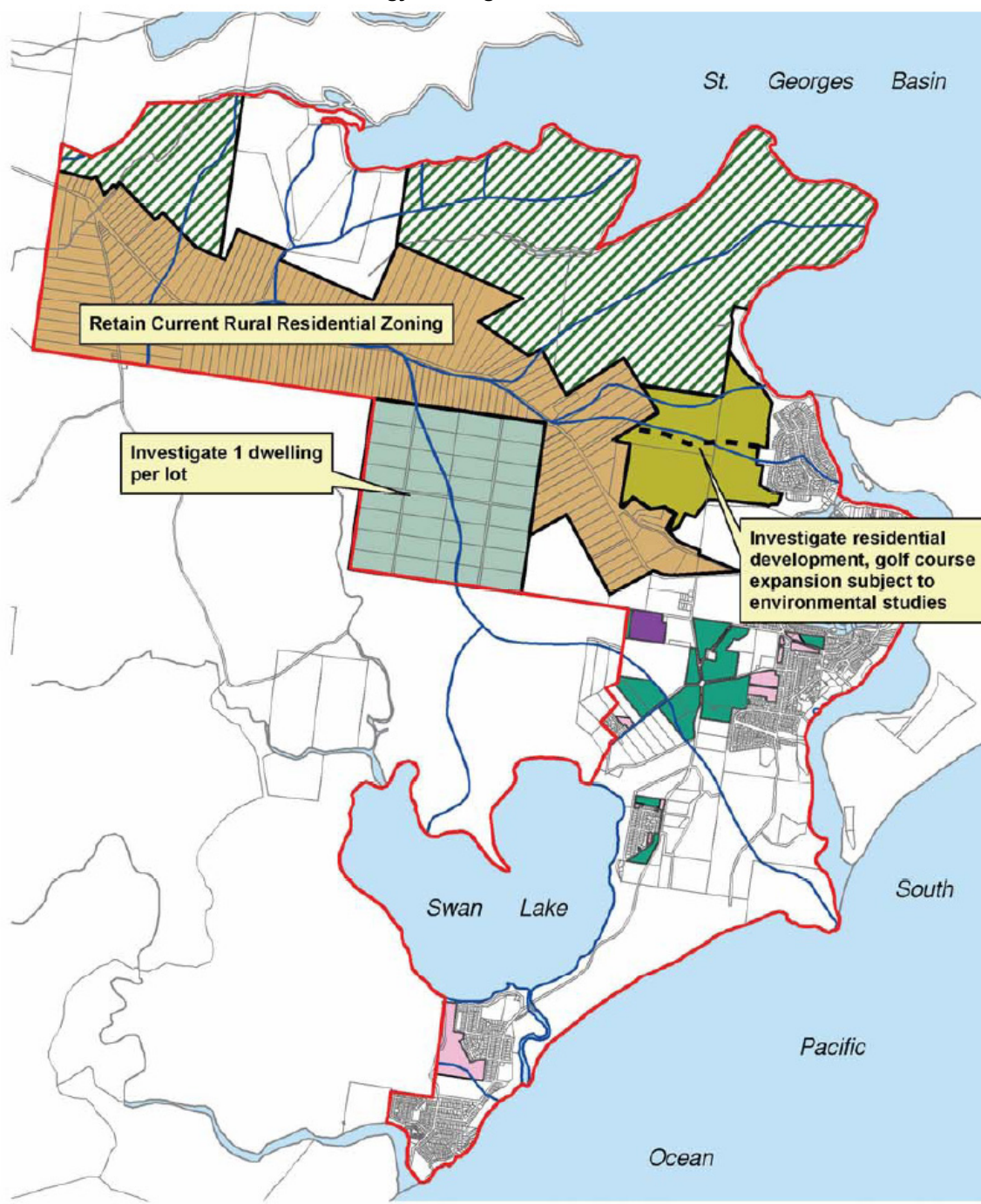
During the time when the Strategy was being considered by the Council, the One Tree Bay proposal was also presented to the Council and was discussed within the context of the SISS in a report to Council dated 10 April 2007. The Council report considered, among other things, the proposal at One Tree Bay, and the need to include the proposal into the Settlement Strategy. Council indicated general support for the proposed development, and the report stated that:

---

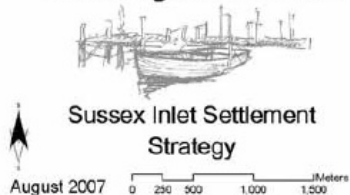
*“The revised draft Strategy reflects the policy position of the State Government outlined in the Regional Strategy. This State Government Strategy states that no new towns or villages will be supported unless compelling reasons are presented and they can satisfy the Sustainability Criteria in the Strategy. Whilst the One Tree Bay proposed was jointly exhibited with the draft Settlement Strategy, it is recommended that the Settlement Strategy merely reflect the State Government’s policy statement on this matter. The options outlined in the revised draft Settlement Strategy provide some direction forward in resolving this matter and Miltonbrook Pty Ltd are able to pursue their proposal further with the State Government utilising the provisions of the Regional Strategy, without delaying the completion of this Strategy”.*

---

**Figure 13 – Sussex Inlet Settlement Strategy Investigation Areas**



**Sussex Inlet Settlement Investigation Areas**



**Legend**

- |  |  |
|--|--|
| <span style="border: 1px solid red; display: inline-block; width: 20px; height: 10px;"></span> Study Area  | <span style="background-color: #f08080; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> Crown Land - Proposed Residential  |
| <span style="background-color: #d2b48c; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> Millallen Farmlets   | <span style="background-color: #800080; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> Crown Land - Proposed Industrial   |
| <span style="background-color: #9acd32; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> Badgee Investigation Area  | <span style="background-color: #008000; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> Crown Land - Proposed Conservation |
| <span style="background-color: #a2c4c9; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> Verons Estate  | <span style="border: 1px solid blue; display: inline-block; width: 20px; height: 10px;"></span> Sub-Catchment Boundaries                                       |
| <span style="background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> Large Rural Lots Fronting St. Georges Basin | <span style="border-bottom: 2px dashed black; display: inline-block; width: 20px;"></span> Flood Free Access Road  |

(Source: Shoalhaven City Council (2007))



### 4.3 Sustainable Development Pattern

The subject site (inclusive of the proposed development area and the area subject to land dedication) consists of four large lots held in private ownership, and which currently has a minimum subdivision size of 40ha under the Shoalhaven LEP. The site forms an important scenic backdrop to St Georges Basin and contains land of significant vegetation. The potential subdivision of this land in this form would result in significant land clearing and substantial environmental impacts. **Figure 14** illustrates the potential outcomes of large lot subdivision within this area.

**Figure 14 – Development Pattern Permitted under the Current Zoning**



The SISS acknowledges the potential unsustainable growth pattern due to fragmented ownership in this coastal land:

---

*“it would be undesirable to see the land further fragmented into 40ha lots, resulting in the need for bushfire protection measures, fencing and other uses associated with individual dwellings. This form of development could also negatively impact on water quality and biodiversity values with associated clearing potentially impacting on the scenic quality of the area. The fragmentation of the area would also remove any potential for some of the land to be brought into public ownership in an attempt to protect the integrity of the foreshore and achieve biodiversity conservation objectives.”*

---

The SISS suggested clustering rural residential development in defined areas in return for the protection of the majority of the bushland. Ideally, development would result in the dedication of the foreshore land fronting St Georges Basin to the public at no cost to Council. The SISS identifies the following advantages to this approach:

- Efficient and less costly provision of infrastructure and services;
- Protection of the large areas of bushland;
- An enhanced ability to manage bushfire risk without widespread clearing to achieve asset protection zones;
- Social benefits associated with minimising social isolation
- Achievement of the scenic protection objectives for the southern foreshore of the Basin
- Public ownership of the remainder of the land and controlled public access to the foreshore, and
- Reduced impact on water quality in St Georges Basin as a result of locating any development adjacent to existing areas of development and as far as possible from the shoreline.

The One Tree Bay proposal does not preclude growth at other sites identified in the SISS. It compliments them and achieves an outcome similar to other places in the Shoalhaven where the clustering of villages forms the predominant pattern of development. **Figure 15** below indicates the clustering of Vincentia, Huskisson, and Haywards Bay, Erowals Bay, Sanctuary Point and Basin View, and Sussex Inlet, Swanhaven, Cudmirrah and Berrara.

**Figure 15 – Clustering of Existing Settlements**



Ordinarily the urban component of the One Tree Bay proposal would desirably be located closer to the existing Sussex Inlet settlement, however advice from the Department of National Parks and Wildlife Services and subsequent detailed investigations indicated that land to the south-west of the current location contained sensitive habitat for rare and endangered species. For this reason the proposal has been located further to the north-east where these habitats do not exist.



## 5 Statutory Assessment

*This section assesses the compliance of the proposed development against the relevant planning policies and legislations.*

### 5.1 Planning Overview

The site is presently zoned a mix of General Rural 1(d) and Environmental Protection 7(d2) Scenic Protection under Shoalhaven Local Environmental Plan (SLEP)1985. A rezoning application to permit future residential developments on the site has been endorsed by Council and a Section 54 letter has been obtained from Department of Planning to allow for the proposed development.

### 5.2 State Planning

#### 5.2.1 Environmental Planning & Assessment Act 1979

The Environmental Planning and Assessment Act (EP&A Act) 1979 (as amended) institutes a system of environmental planning control and environmental assessment whereby applications for development consent can be assessed under a multitude of social, economic, engineering and environmental 'heads of consideration'.

In 2005, a new Part 3A was introduced in the EP&A Act. Part 3A (and the accompanying Regulations, Guidelines and SEPP) contains a new assessment and determination framework for assessment of Major Projects, which are projects that, in the opinion of the Minister, is of State or regional environmental planning significance. Accordingly, the Minister is required to express his opinion that the proposed development is a major project under Clause 6 of the EP&A Act. DoP has advised that the Minister has made the major project declaration.

#### 5.2.2 Environmental Planning and Assessment Regulation 2000

The EP&A Regulation provides the following requirements for projects located within environmental sensitive land and sensitive coastal locations.

***8N Projects or concept plans for which approval may not be given concerning environmentally sensitive land or sensitive coastal locations***

1. *For the purposes of sections 75J (3) and 75O (3) of the Act, approval for a project application may not be given under Part 3A of the Act for any project, or part of a project, that:*
  - (a) *is located within an environmentally sensitive area of State significance or a sensitive coastal location, and*
  - (b) *is prohibited by an environmental planning instrument that would not (because of section 75R of the Act) apply to the project if approved.*
2. *To avoid doubt, a project is not prohibited for the purposes of subclause (1) (b) if:*
  - (a) *it is not permitted because of the application of a development standard under the environmental planning instrument, or*
  - (b) *it is prohibited under the environmental planning instrument but is permitted to be carried out because of the application of another environmental planning instrument to the environmental planning instrument.*
3. *In this clause:*

***environmentally sensitive area of State significance has the same meaning as it has in State Environmental Planning Policy (Major Projects) 2005.***

*sensitive coastal location* has the same meaning as it has in clause 1 of Schedule 2 to State Environmental Planning Policy (Major Projects) 2005.

**80 Other projects prohibited by environmental planning instruments for which project approval may not be given**

1. *For the purposes of section 75J (3) of the Act, approval for the carrying out of a project may not be given under Part 3A of the Act for any project, or part of a project, that:*
  - (a) *is not the subject of an authorisation or requirement under section 75M of the Act to apply for approval of a concept plan, and*
  - (b) *is prohibited by an environmental planning instrument that would not (because of section 75R of the Act) apply to the project if approved.*
2. *To avoid doubt, a project is not prohibited for the purposes of subclause (1) (b) if:*
  - (a) *it is not permitted because of the application of a development standard under the environmental planning instrument, or*
  - (b) *it is prohibited under the environmental planning instrument but is permitted to be carried out because of the application of another environmental planning instrument to the environmental planning instrument.*
3. *This clause does not apply to a project for which the giving of approval is prohibited by clause 8N.*

The subject site comprises lands that are located within a sensitive coastal location (ie. 100m above the Mean High Water Mark). The development area is located within the coastal zone, which is classified as an environmentally sensitive area of State significance.

The Regulation does not permit consent for a Major Project within these locations if the development is currently prohibited under an Environmental Planning Instrument. To address this prohibition, a rezoning application was lodged to Shoalhaven City Council, who endorsed the proposal on 24 April 2007. The proposed LEP amendment was forwarded to Department of Planning and a Section 54 letter was issued indicating preliminary support for the proposed development.

This major project application seeks approval for the Concept Plan of the proposed subdivision in accordance to the requirements under the Regulation. It also seeks Project Approval for Stages 1 and 2, subject to the approval of the Concept Application.

### **5.2.3 Other Relevant Legislations**

**Table 5.1** outlines other relevant legislation which will be required to be considered at the subsequent application stage. State authorities and agencies will have regard to this legislation in the consideration of the rezoning process.

**Table 5.1 – Relevant Legislation & Applicable Authorities**

<b>Legislation</b>	<b>Authority</b>	<b>Comment</b>
Threatened Species Conservation Act 1995	Department of Environment and Climate Change (DECC)	The principle objective of the Act is to conserve and protect threatened and endangered ecological species and communities. A licence is required to damage critical habitat. A 7-Part test would ordinarily be required which may lead to a Species Impact Statement (SIS). However, under this process, the requirements for a 7-part test has been addressed in an overall preliminary ecological study discussed in Section 5.4.
Rural Fire Act, 1997	NSW Rural Fire Service (RFS)	The proposal is located in bushfire prone land and as such liaison with the Rural Fire Service will be necessary. Management of bushfire issues are addressed in Section 5.3.
Native Conservation Act, 1997 and Native Vegetation Act	DECC	Approval is required for clearing of Native Vegetation in non-urban zones within 20m of State Protected Lands (watercourses/lakes/waterbodies). The likelihood for the clearing of vegetation is high and the requirements of these Act will need to be factored into Director General Requirements under Part 3A.
Heritage Act 1977	NSW Heritage	Relating to identified items of Local and State Significance. The subject site does not contain any known items of environmental heritage. Heritage implications would be addressed under a more detailed Part 3A assessment process.
Protection of the Environment Operations Act, 1991	DECC and Council	Development on the site would necessitate a comprehensive soil and water management plan. The principles of ESD are also addressed in this Act. ESD considerations are also incorporated into the South Coast Regional Strategy which is addressed in the Planning Review Table included as Appendix I of the rezoning application.
Rivers and Foreshores Improvement Act (Likely replacement with Water Management Act, 2001)	Department of Water and Energy	The requirements of this Act would need to be addressed under the Part 3A process. The One Tree Bay proposal itself would have minimal impact on riparian areas within the subject site. Works which involve St Georges Basin would need to be reviewed by a mix of State Government Agencies such as Fisheries, Jervis Bay Marine Park Authority, Department of Environment and Climate Change and the Department of Water and Energy.
Catchment Management Act, 2003	Southern Rivers Catchments Management Authority (SRCMA).	The SRCMA will need to be consulted by the Department of Planning under the Part 3A assessment process and catchment management issues incorporated in the Director General's requirements.  The Authority will be primarily concerned with maintaining the health and function of St Georges Basin and Sussex Inlet.
Environment Protection and Biodiversity Conservation Act	Commonwealth Government Department of Environment and Water Resources (DEWR)	Only of relevance where species of critical significance (as nominated under the Act) are threatened. A referral to the DEH may be required and would be addressed as part of the Part 3A process. Again, the significant offset of conservation land to development area is recognised by the former NSW Minister for the Environment as an important environmental outcome.

## **5.2.4 State Environmental Planning Policies (SEPP)**

**Section 1.4** of this report has identified the criteria for residential subdivision development within coastal zone under the Major Project SEPP.



As stated earlier, the proposed development is located within the coastal zone and will create more than 25 lots. It is therefore considered that the proposed development falls within the definition of a major project.

### **SEPP 71 – Coastal Protection**

SEPP 71 applies when a consent authority is assessing an application within the coastal zone. The provisions of the SEPP are an extension of the NSW Coastal Policy which specifies design requirements for coastal cities, towns and villages. The provisions of SEPP 71 are addressed in the rezoning application (see Planning Review Table Appendix I in the rezoning application).

### **SEPP 14 – Coastal Wetlands**

The overall site contains a number of SEPP 14 listed coastal wetlands (there are no wetlands on the development site itself) Kevin Mills and Associates have identified the location of these wetlands in the attached preliminary ecological survey (**Section 6.5**). The One Tree Bay proposal avoids these wetlands by permanently conserving them in a proposed national park and within the 37ha of open space surrounding the development (average width of 100m within proposed foreshore parkland).

## **5.2.5 SEPP – Infrastructure**

Clause 104 of the SEPP requires certain traffic generating development to be referred to the RTA for comments:

- (3) Before determining a development application for development to which this clause applies, the consent authority must:*
  - (a) give written notice of the application to the RTA within 7 days after the application is made, and*
  - (b) take into consideration:*
    - i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
    - ii) the accessibility of the site concerned, including:*
      - I. the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
      - II. the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
    - iii) any potential traffic safety, road congestion or parking implications of the development.*
- (4) The consent authority must give the RTA a copy of the determination of the application within 7 days after the determination is made.*

Subdivision of land to 200 lots or more with access to any road is listed under Schedule 3 as Traffic Generating development. A referral to the RTA will be necessary in the EA stage.

## **5.2.6 SEPP 55 – Remediation of Contaminated Land**

SEPP 55- Remediation of Contaminated Land applies to the land. The issue of land contamination is not expected to be a major concern for the subject site given its limited previous use. The issue of acid sulfate soils, which affects large areas within Sussex Inlet, *does not* affect the One Tree Bay development site.

## **5.3 Regional Planning**

### **5.3.1 South Coast Regional Strategy**

The possibility of developing a new town under the regional strategy is addressed in the following manner:

---

*“No new towns or villages will be supported unless compelling reasons are presented and they can satisfy the Sustainability Criteria”.*

---

The rezoning application has assessed the compliance of the proposed development against Sustainability Criteria. The rezoning application has provided a full assessment (Appendix I of the rezoning application). This is summarised as follows:

- Permanent conservation of 994ha within the National Estate.
- Permanent Protection of five SEPP 14 wetlands from development.
- Dedication of 18km of foreshore into public reserve.
- Significant reduction in the number of trips made by existing and future local residents for work and weekly services.
- Avoidance of further urban sprawl through ‘tacked on’ residential areas increasingly distant from services and centres.
- Opportunity to provide a sufficient density of development in one location that can be more efficiently serviced (critical utilities) than a traditional settlement pattern of smaller developments.
- The benefits of a real town centre within walking distance to most residents and readily accessible by bicycle and on foot.
- The opportunity for sustainable employment through high quality tourist accommodation and facilities and the provision of services and facilities to meet the existing population.
- A diverse mix of housing that encourages ageing in place and meets the affordability thresholds of all generations within one location.
- Development on land free from acid sulfate soils and flooding which affect other areas within Sussex Inlet.
- The absence of any large alternative site which is unencumbered by environmental issues or flooding threat and
- One Tree Bay will comprise an additional small centre in a group of inter-related centres generally described as ‘Sussex Inlet’. The character of each centre is protected by removing the need for ‘tacked on’ low density development or sprawl. This group of centers can be regarded as a general ‘suburb’ known as Sussex Inlet as identified on the Shoalhaven City Council’s GIS mapping system.
- It would also benefit the SES by reducing the burden on the SES’s resources by provision of a close by evacuation facility when the existing township is flooded.
- One Tree Bay has the ability to address the current lack of land supply.

### **5.3.2 Sussex Inlet Settlement Strategy (SISS)**

**Section 4** has considered the relevance of the proposed development within the context of the SISS. In summary the proposed development complies with the Strategy as follows:

- The proposed development has been designed to avoid the areas identified to contain significant environmental constraints (SEPP 14 Wetlands, endangered wildlife corridor, flood prone land and significant riparian corridors). Based on the information that supported the SISS, the proposed development land has the capacity to support the subdivision.
- The proposed subdivision complies with the desirable development of St Georges Basin under the SISS. The Strategy states that large lots within this location are undesirable because of the potential fragmentation of the area which would removal any potential for some of the land to be brought into public ownership. The SISS suggests further investigation to cluster residential development in return for the protection of the majority of the bushland. The proposed dedication of land to the Government under this subject proposal will ensure that long term proper management of the environmentally sensitive lands and ensure that all foreshore lands are subject adequate environmental controls, managed by the National Park.
- Shoalhaven City Council has indicated its general support for the proposed development. However, the SISS is purely a reflection of the State Government planning policy and the proposed development is outside the scope of the SISS. Council suggested that the rezoning of the subject proposal should be carried out as a separate exercise and should address the Sustainability Criteria under the South Coast Regional Strategy.
- The land proposed for dedication will be protected through an appropriate environmental protection zoning, consistent with the directions of the SISS.

## **5.4 Local Planning**

### **5.4.1 Shoalhaven Local Environmental Plan 1985**

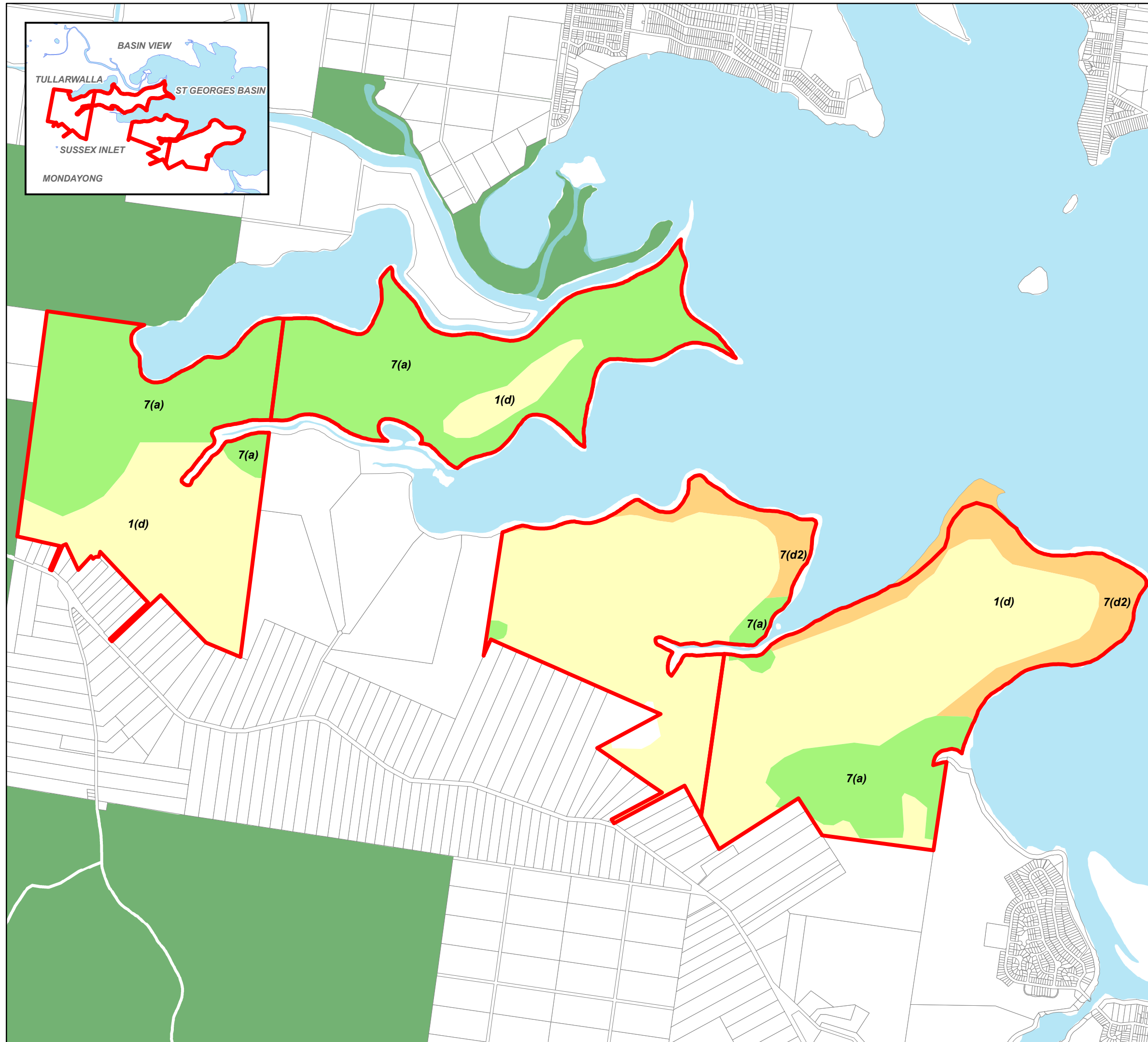
The Shoalhaven Local Environmental Plan 1984 provides the following zones on the subject site:

- 1(d) Rural “D” General Rural
- 7(a) Environmental Protection “A” (Ecology)
- 7(d2) Environmental Protection “D2” (Special Scenic)

The current zoning is shown in **Figure 16**.

The zones allow only limited uses on the land. In terms of subdivision of land, Clause 11 of the LEP provides the following controls on these zones:





**ONE TREE BAY PTY LTD**  
**IMB LAND PTY LTD**

## Shoalhaven Local Environmental Plan 1985

ONE TREE BAY - SUSSEX INLET

### Legend

- Subject Site
- Cadastre (LPI)
- Waterbodies (LPI)
- NPWS Reserve (LPI)

### Zoning (SCC LEP 1985)

- 1(d) General Rural
- 7(a) Ecology
- 7(d2) Special Scenic

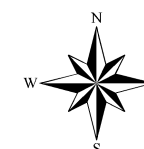


FIGURE 16

Scale 1:25,000 (at A3)



Map Produced by Cardno Forbes Rigby  
 Date: 14 April 2009  
 Coordinate System: Zone 56 MGA/GDA 94  
 GIS MAP REF:  
 106053-04\_4807\_ZoningPlan.mxd 02

**11 Subdivision—Zones Nos 1 (a), 1 (b), 1 (d), 1 (e), 1 (g), 7 (a), 7 (c), 7 (d1), 7 (d2), 7 (e), 7 (f1), 7 (f2) and 7 (f3)**

1. *This clause applies to land within Zone No 1 (a), 1 (b), 1 (d), 1 (e), 1 (g), 7 (a), 7 (c), 7 (d1), 7 (d2), 7 (e), 7 (f1), 7 (f2) or 7 (f3).*
2. *The Council may consent to a subdivision of land to which this clause applies if each separate allotment of land that will be created by the subdivision:*
  - (a) will have an area of not less than 40 hectares,*
  - (b) in the opinion of the Council, will allow the objectives of the zone applying to the land to be met,*
  - (c) will have a ratio of depth to frontage satisfactory to the Council, having regard to the purpose for which the allotment is or is intended to be used,*
  - (d) where the allotment has a frontage to a main or arterial road, will have a frontage to that road of not less than 400 metres, and*
  - (e) will have a vehicular access that is practical and lawful.*

The proposed subdivision does not meet this development standard.

The proposed rezoning application seeks to rezone the development land to a residential zone. The area subject to land dedication will potentially be zoned E2 Environmental Conservation under the upcoming Shoalhaven comprehensive LEP. It is expected that the concept approval of the overall masterplan will be accompanied by a new LEP instrument which permits the proposed subdivision.

#### **5.4.2 Development Control Plan**

Due to the sensitivity of the subject site, it is proposed to prepare a Site Specific DCP to provide development standards for the future subdivision, road layout, residential development and associated infrastructure on the site. The DCP will be prepared as part of the EA, and can cover the following matters:

- Character Statement and Design Principles
- Public Domain
  - Street Network and Road hierarchy
  - Street trees and furniture
  - Pedestrian and Cycle Network
  - Open Space, Environmental Conservation and Landscape Network
  - Aboriginal and European Heritage
  - Bushfire Hazard Management
  - Water Cycle Management
  - Salinity Management
- Residential Development
  - Subdivision and Neighbourhood Design
  - Streetscape
  - Dwelling height, Massing and Siting
  - Building Setbacks
  - Development Forms
  - Private Open Space

- Site Coverage and Landscape Areas
  - Fencing
  - Garages and Access
- Environmental and Residential Amenity
  - Visual Amenity and View Corridors
  - Sustainable Building Design
  - Adaptable Building Design
- Town Centre
  - Concept Plan
  - Streetscape
  - Building height and setback



## 6 Preliminary Environmental Assessment

*This section identifies a range of specific impacts associated with the development, and considers the scope of the assessments that will be required in the EA stage.*

### 6.1 Potential Environmental Impacts Overview

The One Tree Bay environs are subject to a range of environmental constraints and natural hazards which limit the extent of development. These constraints are summarised below and addressed in the following sections:

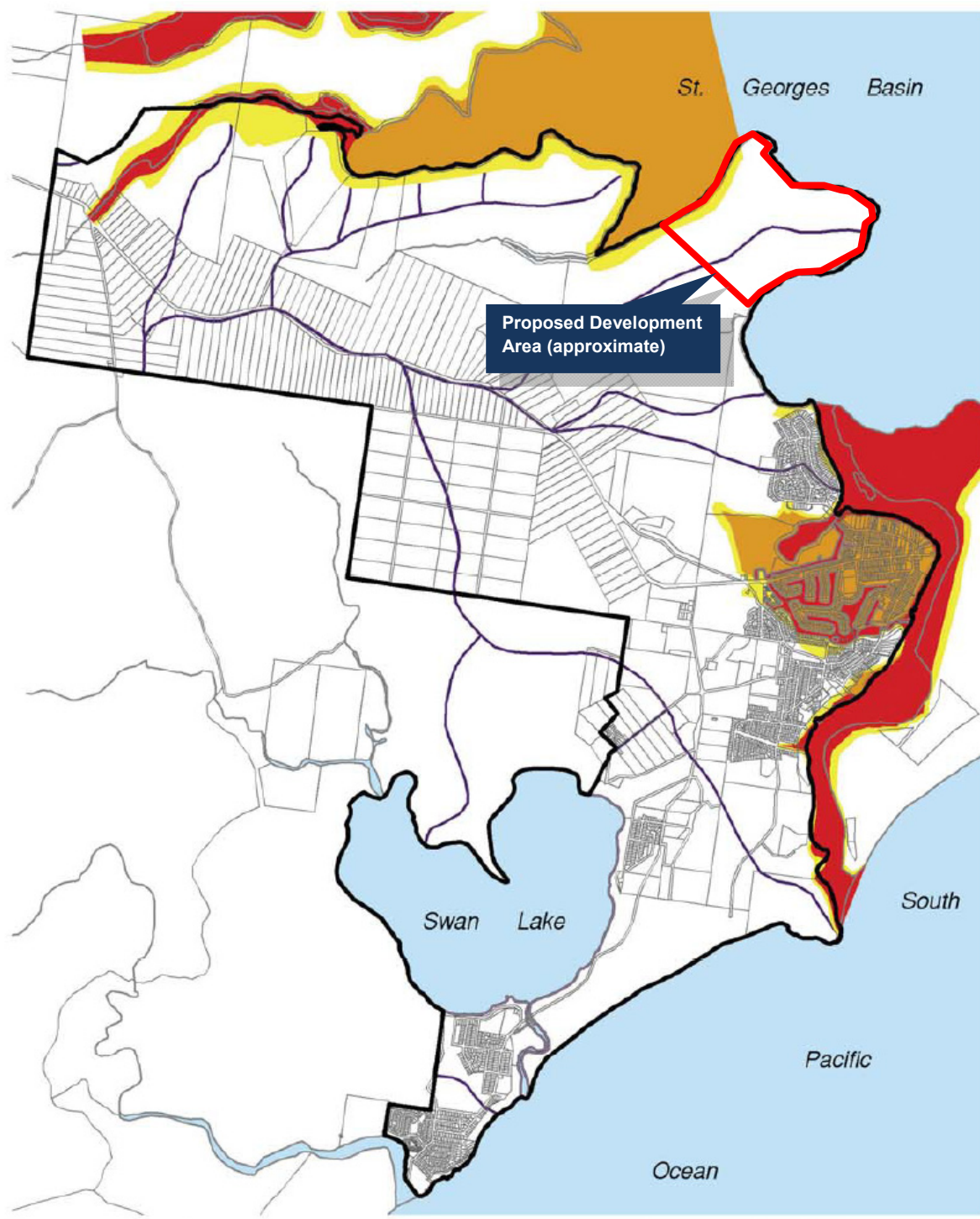
- Flooding
- Acid Sulphate Soils
- Bushfire
- Flora and Fauna
- Water Quality Management
- Infrastructure and Services
- Traffic and Access
- Visual Impact
- Social Infrastructure
- Aboriginal and European Heritage

### 6.2 Flooding

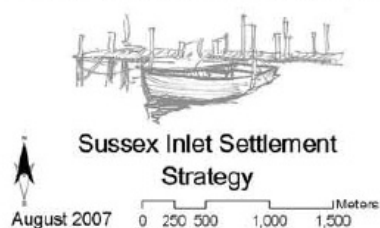
#### 6.2.1 Existing Environment

The *South Coast Regional Strategy* calls for the provision of new housing in and around existing centres. The existing Sussex Inlet township is located within the 100-year flood plain. The S/SS has provided a map showing the existing flood levels. This is provided in **Figure 17**. The St Georges Basin Floodplain Management Strategy (Shoalhaven City Council 2006) identified the costs associated with planning damage and is show in **Table 6.2**.

**Figure 17 – Existing Flooding Risk**



### Flood Risk Information



### Legend

- Study Area
- Floodway
- Flood Storage
- Flood Fringe
- Sub-Catchment Boundaries

Source: St. Georges Basin Floodplain Risk Management Study 2006

(Source: Shoalhaven City Council 2007)

**Table 6.1 – Summary of Damages to Property**

Flood	Property Affection					Tangible Damages (2) (3) (\$ millions)
	Yards	Buildings <sup>(1)</sup>				
		Sussex Inlet	Basin Foreshore	Sanctuary Point	Total	
Extreme	1434	187	890	265	1342	45.1
1% AEP	886	22	421	78	521	8.5
2% AEP	817	9	180	66	255	4.1
5% AEP	534	8	65	52	125	1.8
10% AEP	354	5	39	32	76	0.9

**Notes:** (1) The number of buildings identified is based on design flood levels from the Flood Study (Reference 1) and surveyed floor level information gathered by Council in Jan/Feb 2001. In order to reduce the survey time and costs, only selected properties were surveyed in relatively flat areas. The surveyed levels for the selected properties were then assumed to be representative of all properties in the nearby area. The yard is considered to be inundated if the design flood level is above the surveyed level for the property and the building is considered to be inundated if the design flood level is above the surveyed floor level for the property.

(2) Some allowance for damages incurred at caravan parks is included. Refer to Appendix A, Section A2.5.

(3) Damages will be higher if buildings experience significant structural damage.

As shown in the plan above, Sussex Inlet channel, the tributaries and the immediate adjoining area are classified as high hazard floodway. The Basin and the low lying developed areas of Sussex Inlet are defined as high hazard flood storage areas. According to the SISS and the St Georges Basin Floodplain Risk Management Study, flooding in Sussex Inlet is of a longer duration and is influenced by the overall catchment inflows to the Basin, the prevailing ocean conditions in Wreck Bay and the conditions in the channel.

## 6.2.2 Potential Impacts

Based on the above information, any infill development in these areas, including intensification of the existing town centre, can increase community and property risks in flood events.

In discussions with DoP, land below the 5 AHD level is presently viewed as constrained by potential sea level rises. At this level the existing Sussex Inlet Township would be further adversely affected by flooding and storm surges that may also occur on an increasingly frequent basis.

One Tree Bay is designed to be located well above existing flooding planning levels and also worst case potential affectionation by sea level rises.

Given the implications of flooding and sea level rises for Sussex Inlet, One Tree Bay provides a viable long term settlement solution.

## 6.3 Acid Sulphate Soils

### 6.3.1 Existing Environment

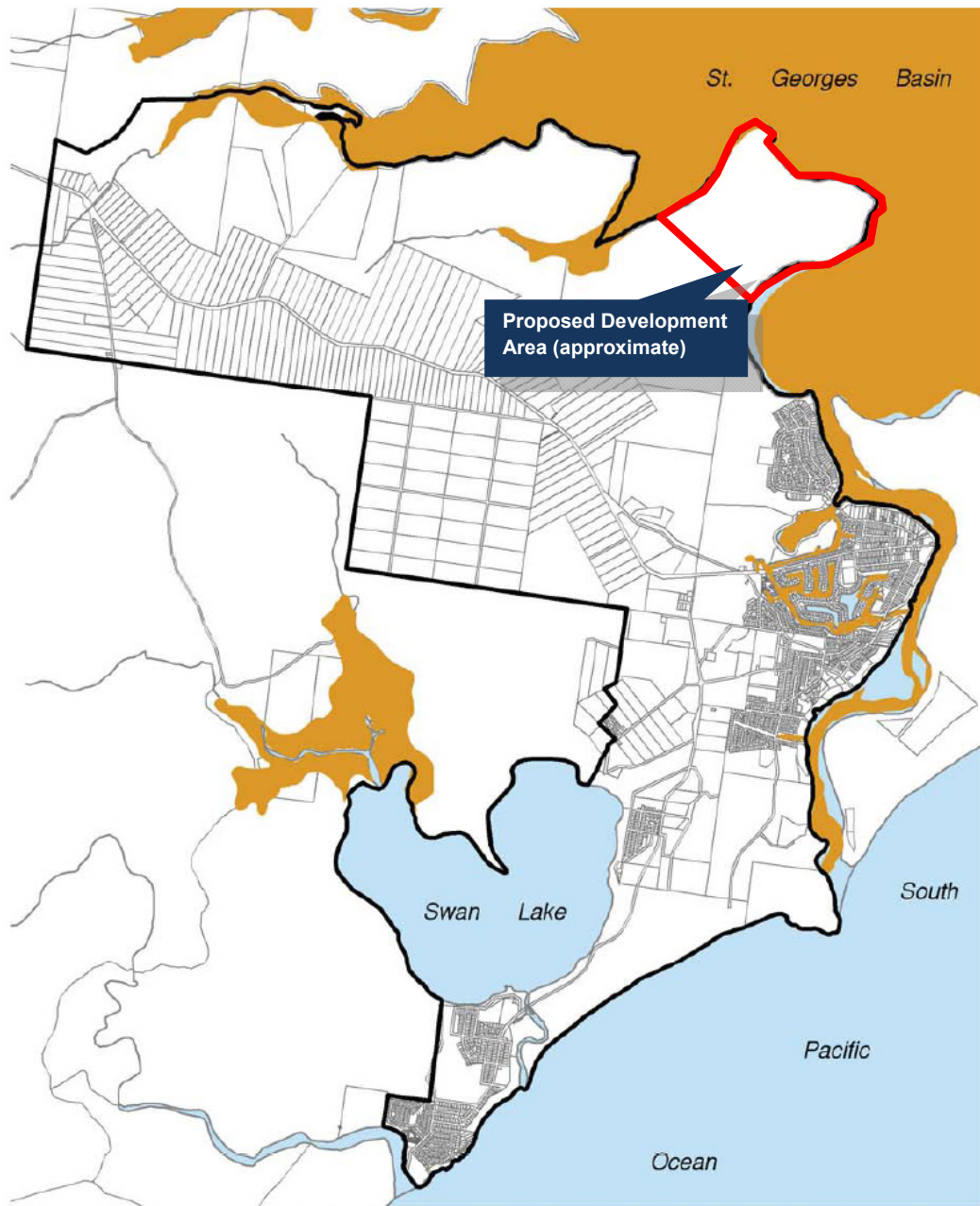
The State Government has mapped the occurrence of potential acid sulphate soils along the NSW coastline and identified areas of high and low probability of occurrence as well as areas of no known occurrence. The SISS has adopted the existing State Government map of Acid Sulphate soils. The majority of areas affected by acid sulphate soil are located within low-lying flood plain areas that are below the 1% AEP flood level. The remaining areas are generally associated with SEPP 14 Wetlands or riparian areas. This is shown in **Figure 18**. The map shows that the development portion of the subject site is not affected by acid sulphate soil.



### 6.3.2 Potential impact

Based on the map prepared by the State Government, the occurrence of acid sulphate soil on the subject site is low. If necessary, further study can be carried out at the EA stage to verify the salinity level of the development area.

**Figure 18 – Acid Sulphate Soil**



**High Risk Acid Sulphate Soils**

Sussex Inlet Settlement Strategy  
August 2007  
0 250 500 1,000 1,500 Meters

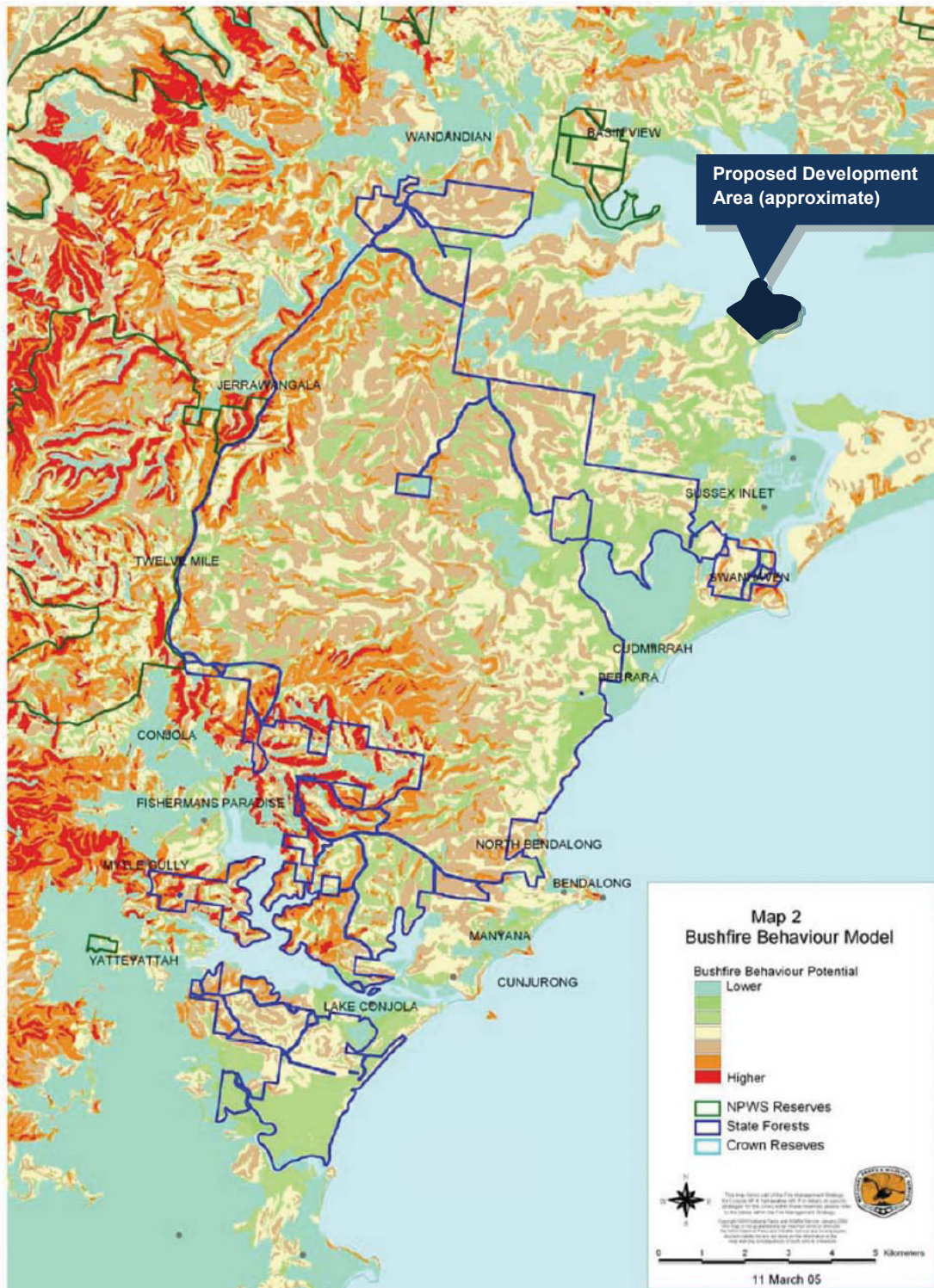
(Source: Shoalhaven City Council 2007)

## 6.4 Bushfire Impacts

### 6.4.1 Existing Environment

The SISS provides the following comments on the bushfire behaviour of Sussex Inlet. This is shown in Figure 19.

Figure 19 – Existing Bushfire Behaviour



(Source: Shoalhaven City Council (2007) sourced from DEC/RFS)

The subject site is classified as Bushfire Prone Land and the development area is classified as low to medium bushfire rating.

## **6.4.2 Potential Impacts**

Bushfire and Environmental Services (BES) were engaged by One Tree Bay Pty Ltd to undertake a preliminary review of bushfire management issues affecting the One Tree Bay proposal. The advice from BES is included in the appendix of the rezoning application (Appendix H of the rezoning report).

After assessing the bushfire characteristics of the development area, BES provided the following conclusion:

---

*'In my professional opinion the proposed township can be provided with a high standard for bushfire protection and one that meets the standard required by Planning for Bushfire Protection 2006. Bushfire protection, evacuation, firefighter operations and fire regimes for maintenance of biodiversity in the proposed national park are important conceptual matters for ongoing township design work. The site has a well established wildfire history and will be exposed to bushfire attack on a reasonably regular basis. This in itself should not be a matter of concern as most of the south coast bush land areas are similarly bushfire prone. However it is essential that quality bushfire protection design is incorporated into the township and its adjoining infrastructure.'*

---

A more detailed bushfire report will be carried out in the EA stage, which will assist in the development of a range of bushfire management mechanisms for the proposal in accordance with Planning for Bushfire Protection Guidelines 2006.

## **6.5 Flora & Fauna**

### **6.5.1 Existing Environment**

As part of the rezoning application, Miltonbrook has commissioned Dr Kevin Mills to prepare an assessment of potential ecological impacts of the proposed subdivision in One Tree Bay. This report has been submitted with the rezoning application (Appendix E of the rezoning application) provides the assessment.

Dr Mills undertook extensive field surveys to identify the existing flora and fauna species, and the conditions of the significant trees. The survey results are summarised as follows:

#### ***Flora Survey***

**Figures 20** shows the location of the exiting vegetation found on the development area and the proposed land dedication areas as a result of the flora survey. **Table 6.2** provides a summary of the vegetation communities found in the investigation area (including development area and dedicated land).

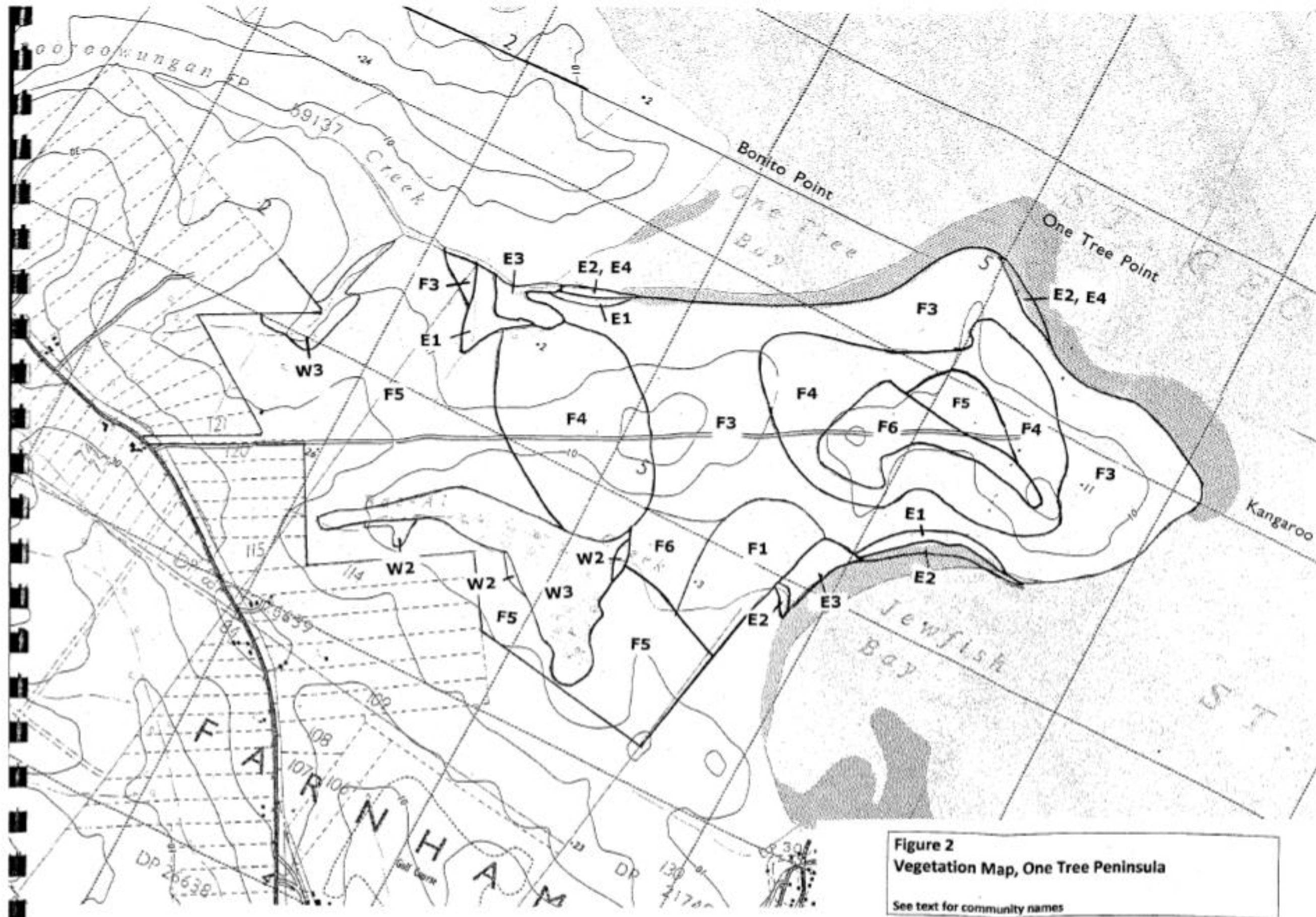
#### Ecological Communities

The flora survey found the following endangered ecological communities in the investigation area:

- Swamp Sclerophyll Forest
- Bangalay Sand Forest (Bangalay – Banksia Forest)
- Swamp Oak Floodplain Forest (including Paperbark Shrubland)
- Coastal Saltmarsh



Figure 19 – Existing Vegetation Communities within development area



(Source: Kevin Mills & Associates (November 2007))

### Threatened Species

A number of threatened species have been targeted across the entire investigation area and were not found. Given the restricted habitats of these species, and the extensive searches that have been undertaken in potential habitats, Dr Mills believed that threatened species are unlikely to occur in the investigation area and certainly do not occur on the development site.

**Table 6.2 – Summary of Vegetation Communities**

Group/Name	Approx. Area
<u>Forests/Woodlands</u>	
F1. Blackbutt – Banksia Forest	26 hectares
F2. Spotted Gum – Blackbutt Tall Forest	199 hectares
F3. Blackbutt – Turpentine Tall Forest	200 hectares
F4. Blackbutt – Scribbly Gum Ecotone Forest	99.5 hectares
F5. Scribbly Gum – Casuarina Forest	156.5 hectares
F6. Scribbly Gum – Bloodwood Woodland	251.5 hectares
<b>F7. Red Gum – Paperbark Forest</b>	Too small to map
F8. Blue Gum – Blackbutt Tall Forest	13 hectares
F9. Peppermint – Stringybark Forest	1.5 hectares
<b>E1. Bangalay – Banksia Forest</b>	13 hectares
<u>Wetlands</u>	
<b>W1. Swamp Sclerophyll Forest</b>	13 hectares
W2. Bangalay – Paperbark Woodland	4 hectares
W3. Teatree Shrubland	21.5 hectares
<b>E2. Swamp Oak Forest/E5. Mangrove Woodland/</b>	53 hectares
<b>E3. Paperbark Shrubland/E4. Coastal Saltmarsh Complex</b>	
1. <b>Bold</b> entries are listed endangered ecological communities.	

(Source: Kevin Mills & Associates (November 2007))

### Regionally Significant Plans

Three plant species considered to be of regional conservation importance occur within the investigation area. These include:

- *Gahnia filum* (Cyperaceae)
- *Dendrobium terrefolium* (Orchidaceae)
- *Dendrobium aemulum* (Orchidaceae)
- *Lepidosperma quadrangulatum* (Cyperaceae)
- *Melaleuca decora* (Myrtaceae)

### **Fauna Survey**

Targeted surveys were undertaken was carried out on the following species:

- Masked Owl
- Powerful Owl
- Glossy Black-Cockatoo
- Gang-gang Cockatoo
- Yellow-bellied Glider
- Southern Brown Bandicoot

- White-footed Dunnart
- Eastern Chestnut Mouse

**Table 6.3** provides a summary of the survey.

**Table 6.3 – Summary Outcomes of Fauna Survey**

<b>Table 14</b> <b>Threatened Species records in the Investigation Area</b>		
Species	No. of Records in Wildlife Atlas	Records during Recent Surveys
Powerful Owl#	1	1 pair (?), probable nest tree nearby
Yellow-bellied Glider#	3	common in some tall forest areas
Glossy Black-Cockatoo#	23	resident population of 9 birds, nest tree (?)
Gang-gang Cockatoo#	0	>10 observations
Square-tailed Kite#	0	3 observations
Masked Owl#	1	2 records
Eastern Freetail Bat	2	not yet recorded
Greater Broad-nosed Bat	1	not yet recorded
Common Bentwing-bat	1	no roosting habitat present in area

# Presence of these species has been confirmed in recent surveys.

(Source: Kevin Mills & Associates (2007))

## Wetlands

**SEPP 14** identifies a number of coastal wetlands and make provisions for the protections of these wetlands. There are 5 wetlands, with a total area of 40ha, which occur within the areas to be dedicated. None of these wetlands are located within the development area.

## 6.5.2 Potential Impacts

Development of the One Tree Bay Township would be at some cost to local conservation values, primarily through the loss of forest and woodland habitat. The footprint of the township and the main facilities, as currently proposed, would cover an area of about 94.8 hectares; this is nine percent of the 1,044 hectare property. Investigations to date have found that the vegetation communities, listed below in **Table 7.1**, would be cleared (Note: an estimate of 100 hectares is used for the total area requiring clearing).

**Table 6.4 – Vegetation within the Development Area**

Vegetation Type	Area
F3. Blackbutt – Turpentine Tall Forest	33.0 hectares
F4. Blackbutt –Scribbly Gum Ecotone Forest	44.5 Hectares
F5. Scribbly Gum – Casuarina Forest / Woodland	6.5 hectares
F6. Scribbly Gum – Bloodwood Woodland	16.0 hectares
<b>Total Area of Vegetation Removed</b>	<b>100.0 hectares</b>

NOTE: 1 = Figures include formal parks, etc within the town area where some trees may be retained

**Table 6.5** provides the conclusions of the potential impacts on threatened species that could be affected to some degree. The prime habitat for these species is not on the township site, as established by extensive field surveys.



**Table 6.5 – Potential Impacts on Threatened Species**

<b>Fauna Species</b>	<b>Survey Outcomes</b>
Yellow-bellied Glider	Recent surveys indicate that the Yellow-bellied Glider occurs in the forest on the south-eastern edge of the township area. Most records of the glider in recent surveys come from the forests south of the development area and on Tullarwalla Peninsula. The township site covers a relatively small area of known habitat.
Powerful Owl	A Powerful Owl has been recorded several times recently in the same area in the south-eastern corner of the One Tree Peninsula or on an adjoining land. Given that this species begins breeding in winter, it is speculated that a breeding pair occurs in this area. It is not likely that a second pair would inhabit the forest elsewhere in One Tree Peninsula – a bird had been observed on the development area once, only one kilometre from the possible nesting area. Large hollow-bearing trees occur within the development area; these are potential nest trees for the Powerful Owl. Although apparently not utilised at present, such trees could potentially be used in future. The forest is most likely to be part of the foraging territory of a pair of owls known to live nearby. The development would remove about 95ha of foraging habitat from the suspected territory of a pair of Powerful Owls; the total territory is speculated at being at least 400ha in size.
Glossy Black-Cockatoo	Glossy Black-Cockatoo could utilise hollow-bearing trees on the development area for nesting. There are few Black She-oak <i>Allocasuarina littoralis</i> trees in the township area, although there is some regeneration of these trees in the northern part of the site, where there are also some old trees that escaped being killed by the 2001 fire. Development of the township would remove some potential habitat for the Glossy Black-Cockatoo. However, the known foraging area and suspected nesting site are not impacted by the development. The main foraging area is on the southern part of One Tree Peninsula and is well away from the proposed township.
Masked Owl	One observation of the Masked Owl was made during the field surveys and a call was heard, both records were on or near the township site. There is also a record of the owl near Cow Creek before the 2001/02 bushfires. Good forest habitat occurs throughout the investigation area. Given the large home territory of this owl, about 500ha or more, it seems likely that one pair occurs on One Tree Peninsula and another pair on Tullarwalla Peninsula.

### 6.5.3 Dedication of Land

The site is a large private holding covering natural landscapes exhibiting an impressive range of conservation values. These include natural, cultural and recreational values. The land, kept in its natural state, also has value in protecting and improving the management prospects for the adjoining NPWS reserve and the environment of St Georges Basin.

The conservation values of the proposed dedicated land and the proposed township site are summarised in **Table 6.6** below.

**Table 6.6 – Conservation Profile of Land to be Dedicated & Land that would be Developed**

Issue	Dedicated Land	Development Area
Extent	944hs (90.4%)	100ha (9.6%)
Length of St Georges Basin Foreshore	~ 18km	NIL <sup>1</sup>
No. of Vegetation Communities	17	4
No. of Endangered Ecological Communities	4	NIL
Area of Endangered Ecological Communities	~ 79ha	NIL
Area of Poorly Reserved Spotted Gum Forest	199ha	NIL
No. of Known Threatened Animals <sup>2</sup>	6	4
No. of Known Threatened Plants	NIL	NIL
No. of Known Other Significant Plant Species	5	NIL
Freshwater Wetlands	~ 37ha	NIL
Saline Wetlands	~ 53ha	NIL

*NOTE: One small area of foreshore is being proposed for recreational access<sup>1</sup>*

*Based on recent surveys of the area, i.e. Post the 2001/02 severe bushfires<sup>2</sup>*

(Source: Kevin Mills & Associates (2007))

## 6.6 Water Quality Management

A preliminary WSUD (Water Sensitive Urban Design) study has been conducted as part of the rezoning application to predicts the water quality outcomes for the likely ultimate development scenarios. This is provided in **Appendix C**.

### 6.6.1 Proposed WSUD Measures (for 'Compact' Development scenario)

Preliminary WSUD measures relating to stormwater quality and quantity considered most appropriate to the One Tree Bay development are:

- Rainwater tanks for each house to collect roof runoff (to be used for garden watering and toilet flushing). Proposed tank sizes are between 3 and 5 kL depending on lot size and roof area.
- A combination of proprietary litter/sediment traps, bio-retention swales and water quality control ponds/ artificial wetlands is proposed, located in ways sympathetic to the other environmental constraints of the site.
- Bio-swales are proposed along the riparian corridor buffer strips to filter out pollutants from urban stormwater runoff. Bioswales comprise an open swale with a trench filled with a filter media in its base. The swale also incorporates native vegetation where possible to assist with the take up of nutrients. Bioswales also reduce the potential for migration of weed propagules into the riparian zone in addition to improving water quality.

A preliminary stormwater management plan has been developed and is contained in Appendix C of the WSUD report in **Appendix C** of this PEA.

## 6.7 Infrastructure

The rezoning application has undertaken preliminary investigations and consultation on the provision of all utility services including water, sewer, electricity, gas and telecommunications. The preliminary investigations demonstrated there are no major issues regarding the utility service infrastructure requirements of the proposed development however further detailed investigations and service requirement studies will need to be undertaken as part of the rezoning and EA processes. These studies will be undertaken in the EA stage, in accordance with Council's Policy on Provision of Water and Sewerage Infrastructure.

### **6.7.1 Water Reticulation**

Studies for water supply will focus on modelling the system south of Bewong Reservoir. The studies will determine what capacity is available in the existing system to serve the early stages of the development and the extent of infrastructure upgrades and timings required as the development proceeds. It is important that Shoalhaven Water provide assistance and the necessary boundary conditions of their network to enable modelling of the system by a third party.

Shoalhaven Water indicated in late 2007 that they were modelling the system south of the Bewong reservoir to confirm the suggested 5ML/day (approx 2500ET) spare capacity as indicated in the Sussex Inlet Settlement Strategy. Shoalhaven Water recently advised however that in fact this modelling has yet to be undertaken.

The EA will investigate ways to reduce water demand, including on and off site grey water re-use options. Initial discussions with manufacturers of proprietary grey water re-use systems suggest a further 30% reduction in potable water demand can be achieved in addition to reductions achieved via BASIX.

Shoalhaven Water have indicated that a new trunk water main and town reservoir are likely minimum requirements to serve the development with details to be confirmed as part of the further EA investigations.

### **6.7.2 Sewer Reticulation**

Studies for collection and disposal of sewage will require a comprehensive investigation of alternatives for both the site collection and transportation systems as well as the upgrades required for the current off-site trunk transportation, wastewater treatment and disposal systems. The studies will determine the available capacity is available in the existing system to serve the early stages of the development and the extent of infrastructure upgrades and timing required as the development proceeds. It is important that Shoalhaven Water provide assistance and the necessary boundary conditions of their network to enable modelling of the system by a third party. This assistance will be crucial for the proponent to undertake the investigations required by Council.

As part of the Integrated Water Cycle Management Study to be undertaken as part of the EA, the following key elements will be considered in forming the overall water cycle management strategy for the development.

#### **Site Reticulation Collection Systems**

- Investigate options between conventional gravity collection systems vs. fully enclosed pressure systems
- Investigate the effect of the reduction of stormwater and groundwater ingress that conventional gravity systems are susceptible to and the cumulative effects this has on pumping, transport and treatment costs

#### **Grey Water Re-Use Systems**

- Initial discussions with manufacturers of proprietary Grey water re-use systems suggest a 50% reduction in Blackwater discharge can be achieved.
- Investigate the effect any reduction in discharge has on the requirements for the off- site transportation, treatment and discharge facilities
- Investigate the various opportunities available for on-site Grey water re-use



- Investigate de-centralised at-lot Grey water treatment and re-use vs. centralised treatment, distribution and re-use options
- Investigate potential for off-site Grey water re-use
- The current Grey water re-use technology has the potential for treated water to be used for toilet flushing, above ground irrigation, non potable hose cocks and washing machine cold water supply. All of these applications replicate the current uses permissible by Council for stormwater harvested as part of the BASIX initiatives.
- The current gGrey water re-use technology also has the potential to be used for use for distribution via a “3rd pipe” application from a centralised package treatment facility. It also has the potential for use in fire fighting applications thereby further reducing the potable water demand for this development. This would therefore not limit the One Tree Bay development from adopting a “3rd pipe” system which may have been the case if the proponent was reliant on Council extending the current reclaimed water supply scheme into the southern Shoalhaven area.<sup>3</sup>

### **Household Water Usage Rates**

- Shoalhaven Water currently implicitly assume a city wide design water usage rate based on a peak day demand derived from flow rates measured in a summer day in 1994.
- Investigations will consider how varying rainfall patterns, garden sizes, water re-use initiatives and BASIX initiatives affect the actual water usage rate
- A lowering of the actual water usage rate will have a cumulative reduction effect on the degree of infrastructure and upgrades required

### **Wastewater Treatment Plant and Dune Exfiltration System Upgrades**

- The Sussex Inlet area is currently serviced by a waste water treatment plant and dune exfiltration system which has a design capacity of 8,000EP.
- Shoalhaven Water’s current DSP indicates a 6000EP upgrade is scheduled for 2010-2012 with a further 4000EP upgrade scheduled in 2023-2024.
- Both the waste water treatment plant and dune exfiltration system will require upgrading extra-over to the upgrades scheduled in the DSP
- Investigate potential for storage and programmed off peak pumping to the wastewater treatment plant to reduce the burden on the system during peak periods
- Cumulative effects of all the above investigations and the final solution with respect to the overall water cycle management strategy for the development will determine the scope and timing of upgrades required

#### **6.7.3 Electricity Reticulation**

Integral Energy have confirmed in the Draft Sussex Inlet Settlement Strategy that there is no capacity in the electrical system to serve substantial further development of the Sussex Inlet area and that upgrades to trunk infrastructure will be required to serve the One Tree Bay development.

Integral Energy’s network planners will be consulted as part of the EA processes to determine the ability of the system to serve an initial stage of the development and the infrastructure upgrades and timing required to serve the fully realised development.

#### **6.7.4 Telecommunications**

Telstra will need to be consulted during the rezoning and EA processes to ascertain what infrastructure upgrades would be required to serve OTB.

The upgrade will likely interface with the recent Government decision to roll out the fibre optic network across Australia and the requirement for the new technology to be introduced on all Greenfield development sites from 1 July 2010.

#### **6.7.5 Gas Services**

The Eastern Gas Pipeline is approximately 20km west of Sussex Inlet. Natural gas services have not yet been extended from this pipeline to Sussex Inlet and there are no proposals to proceed at this time due to the less than critical mass that is required to warrant investment in the lead-in infrastructure.

Gas supply to the development will be via bottled LPG from local suppliers.

### **6.8 Traffic and Access**

#### **6.8.1 Existing Environment**

Access to the subject site is currently available from Sussex Inlet Road. The access road has a gravel surface extending from the intersection at Sussex Inlet road for approximately 1km. The remaining access way is a dirt road (developed earlier for logging) which provides access to the proposed development area. The access road is approximately 3.5 – 4m wide with 2m grassed verges. The condition of the road is medium to poor and generally has good sight distance visibility.

The condition of the section of Sussex Inlet Road connecting onto the access road into the subject site is good, with a general road reserve of 20m and a pavement width varying from 7–10m. At the entrance to the access road the pavement is approximately 8m sealed pavement with 1m gravel shoulders. The speed limit along this section of Sussex Inlet Road is 100km per hour.

Currently public bus transport and taxi services operate along Sussex Inlet Road to service the Sussex Inlet Township. Sussex Inlet road is the only connection into the area from the Princes Highway. Future bus access to and around the subject site is possible within the current conditions.

#### **6.8.2 Potential Impact**

The proposed development to accommodate 5,000 people together with ancillary employment generating uses will generate an increased daily and peak hour traffic movements. The principal access to the subject site will be from Sussex Inlet Road which is the primary connection between the immediate localities surrounding Sussex Inlet with the Princes Highway.

Future trip generation from the subject site and within the locality because of the proposal will be minimised having regard to the following initiatives:

- The creation of a working town centre which enables local walking trips by surrounding residents
- The creation of tourist destination that is walkable and encourages increased mode shift to other transport forms such as cycling.
- The creation of a legible and easily trafficable road network that increases the efficiency and movement of public transport.
- The potential for a public transport access between One Tree Bay and North Sussex Inlet

- Reduce vehicles trips from Sussex Inlet to Nowra and the future Vincentia District Centre due to the availability of local services and facilities in One Tree Bay.
- Reduce local vehicles trips from Sussex Inlet to other employment locations (in particular Nowra) due to the creation of local employment at One Tree Bay.

The Sussex Inlet Settlement Strategy provides the following comments regarding the capacity of the existing local road network to satisfy expected future population and development growth:

- *The Princes Highway/Sussex Inlet Road intersection is configured to a seagull arrangement with separate provision in the highway for a right turn lane. Further improvements to this intersection are being undertaken by the Roads and Traffic Authority, including improvements to facilitate safe right turns from Sussex Inlet Road to the Princes Highway.*
- *Sussex Inlet would continue to operate at levels of service (LOS B) for some time, and would decline to a still acceptable level LOS C once 1,000 dwellings were delivered.*
- *LOS C would be maintained during peak summer holiday periods on Sussex Inlet Road*
- *The Princes Highway generally would decline in terms of performance, reaching LOS E over time and experiencing LOS F in peak summer holiday periods*
- *While some improvements to the Princes Highway would be warranted in the medium to long term, traffic generated as a result of growth in Sussex Inlet would account for only 10% of the growth.*
- *Should new development proceed, it will be important to address localised traffic and transport impacts associated with that development?*
- *The key local roads have adequate capacity for the expected levels of growth, but located improvements may be required depending on the scale of development in a particular location.*
- *Initiatives to encourage increased public transport use such as walking and cycling should be considered in detail during the Environmental Study process for a particular rezoning or in association with larger development applications.*

The future EA will provide more detail consideration on future growth and identify the capacity of the new development to positively contribute to local road improvements and also minimisation of local vehicle trip growth.

As previously expressed in this report and summarised above, the One Tree Bay proposal provides an opportunity to reduce local vehicle trips per household and facilitate improvements to local public transport through increased job creation and a consolidated development footprint with significant density to achieve a mode shift to alternative transport including public transport.

### **6.8.3 Public Transport**

The Sussex Inlet Settlement Strategy does not detail the existing standard of public transport in the Sussex Inlet area or provide any specific guidance regarding its future.

The current service is responsive to the needs of the local population and the economics of the current market. It is understood that Sussex Bus has specifically purchased the Custom Coaches CB50 HCL which is low floor and wheelchair accessible bus (DDA compliant). This type of bus will be responsive to the needs of an increasingly aged population.

The development partners intend to liaise with Sussex Bus and the Ministry of Transport to ensure that bus services are provided through the development and at an early stage in the subdivision of One Tree Bay.



## **6.9 Visual Impact**

### **6.9.1 Existing Conditions**

The development area is located on a peninsula. Land along the coastal area is currently zoned 7(d2) Environmental Protection “Special Scenic” under the Shoalhaven LEP. The objective of the zone is to preserve and enhance scenic quality. It is not visible from the main road or Princes Highway.

The peninsula is visible from the northern shore of St Georges Basin and potentially from the Boodere national Park.

### **6.9.2 Potential Impacts**

A preliminary visual impact assessment was carried out as part of the rezoning application. The assessment included photographic evidence of the views from different parts of St Georges Basin. There will be a limited visual impact and this impact must be weighed against the ongoing retention of the substantial natural areas which may be under some threat under current controls and from future development.

The proposed development will involve the dedication and permanent protection of 87% of the site and 18km of coastline. This aspect of the proposal will maintain the visual qualities of the southern foreshores of St Georges Basin.

A more detail visual impact assessment will be carried out as part of the EA.

## **6.10 Aboriginal and European Heritage**

Preliminary discussions have been held with representatives of the DECC which suggest that there are unlikely to be important Aboriginal archaeological sites on the township site. Middens and possibly other archaeological sites do occur on the lake foreshores, all of these are located within the land to be dedicated to the public.

A full Cultural Heritage Assessment will be undertaken as part of the EA.

## **7 Consultation**

*This section summarises the outcomes of the consultation that has been carried out with relevant agencies and presents a proposed consultation program that will be carried out to further the application.*

### **7.1 Existing Consultation**

The following agencies and stakeholders were consulted:

- Shoalhaven City Council
- Department of Planning
- Shoalhaven Water
- Integral Energy
- National Park and Wildlife Service, DECC
- Federal and State members
- Local communities

**Appendix D** summarises the outcomes of the existing consultation undertaken for the proposed development.

### **7.2 Proposed Consultation**

As part of the EA process, the following stakeholders will be consulted:

- Department of Environment and Climate Change to agree on the land dedication and establish the boundary of the dedicated land surrounding the subdivision.
- Department of Water and Energy to ensure the Water Sensitive Urban Design proposal is acceptable.
- Shoalhaven City Council to establish the process for land dedication and transfer of ownership of some infrastructure.
- RFS to ensure the proposed bushfire management mechanisms are acceptable.
- RTA to address any potential traffic issue associated with the proposed development.
- Local residents and community groups as required.

## **8 Conclusion and Recommendations**

*This section summarises the report findings of this PEA.*

### **8.1 Report Findings**

- There is an identified demand for future urban land supply in the Sussex Inlet suburb.
- There is doubt that the land supply options identified in the Sussex Inlet Settlement Strategy can provide the required number of land parcels
- One Tree Bay represents a viable option in the development of a revised Sussex Inlet Settlement Strategy which can bring significant social, environmental and economic benefits to both the local and wider communities.
- There are '*compelling reasons*' for supporting One Tree Bay as a new sub centre within the Sussex Inlet suburb and when addressing the criteria identified under the South Coast Regional Strategy.
- The development partners have the experience and resources to develop One Tree Bay and are willing to enter into a Developer Agreement/s to fund necessary infrastructure.
- The project will dedicate, free of cost, a major tract of land for the permanent protection of the southern shores of St Georges Basin which the National Parks and Wildlife Services considers would be highly beneficial and in the public interest.
- The specific One Tree Bay development, as proposed, will have a reduced carbon footprint and will provide for ongoing sustainability.
- There are limited constraints upon the development of the site which cannot be addressed. Other development options within the Sussex Inlet area have significant development constraints.

### **8.2 Recommendations**

It is recommended that IMB P/L and OTB P/L:

- Lodge this PEA as an initial application for the Part 3A process, to support the proposed subdivision at One Tree Bay.
- Request the DoP to issue a set of Director General's Requirements to guide the preparation of the full Environmental Assessment for the Concept and Project Applications.
- Seek consideration from DoP to waive further assessment on the following aspects for the EA.
  - Economic Impact Assessment
  - Ecological Assessment

These assessments have been completed as part of the rezoning application. We consider that the details within the existing assessments are adequate for the EA and there should be no more additional requirements to undertake further studies on these aspects.



## **Annex A**

### **A. Section 54 Letter, Department of Planning**





NSW GOVERNMENT  
Department of Planning

Office of the Director-General

Contact: Neil McGaffin  
Phone: (02) 4224 9455  
Fax: (02) 4224 9470  
Email: [neil.mcgaffin@planning.nsw.gov.au](mailto:neil.mcgaffin@planning.nsw.gov.au)  
Postal: PO Box 5475 Wollongong 2520

Mr Russ Pigg  
General Manager  
Shoalhaven City Council  
PO Box 42  
NOWRA NSW 2541

Our ref: Shoalhaven W08/00048

Your ref: 37210 (D08/173716)

Dear Mr Pigg

**Re: Section 54(4) Notification – Draft Amendment - One Tree Bay; Lots 2, 7 & 8 DP 755937  
& Lot 53 DP 1033684, Sussex Inlet Road, Sussex Inlet**

I am writing in response to your Council's letter dated 7<sup>th</sup> November 2008 advising, under section 54(4) of the Environmental Planning and Assessment Act 1979 ('EP&A Act'), of the Council's decision to prepare a draft local environmental plan ('LEP') to rezone the abovementioned land at One Tree Bay to facilitate urban development, foreshore public reserve and National Park.

I note the material public benefit (National Park) that may occur as a result of proceeding with this LEP and, as such, the Council may now continue with the preparation of the draft LEP.

Under section 74(2)(b) of the EP&A Act, Council is directed to comply with sections 57 and 61 of the EP&A Act with this draft LEP. Consultation with the Department under section 62 of the Act is not required for this plan. In this regard I have determined that the specifications for the environmental study shall be provided by the Department's Regional Office, following further detailed consultation with Council.

You will be aware that an instrument of delegation in respect of my LEP making functions was executed on 16 February 2006. Use of the delegation in respect of a draft LEP is conditional on receipt by Council of a Written Authorisation to Exercise Delegation. As an Authorisation is not being issued on this occasion, Council should submit the draft LEP to the Department seeking a section 65 certificate.

Council should ensure that the following matters are adequately addressed and any necessary approvals or opinions sought prior to exhibition of the draft plan:

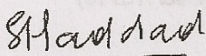
- Consistency with the South Coast Regional Strategy
- Relevant Section 117 Directions
- Illawarra REP No.1; and
- Sussex Inlet Settlement Strategy



Please forward a copy of the draft plan and any other information to be publicly exhibited in respect of the draft LEP to the Regional Office with advice to the Department as required under section 64 of the Act when seeking a section 65 certificate.

Should you have any queries in regard to this matter please contact the Regional Office of the Department.

Yours sincerely

  
**Sam Haddad**  
**Director-General**

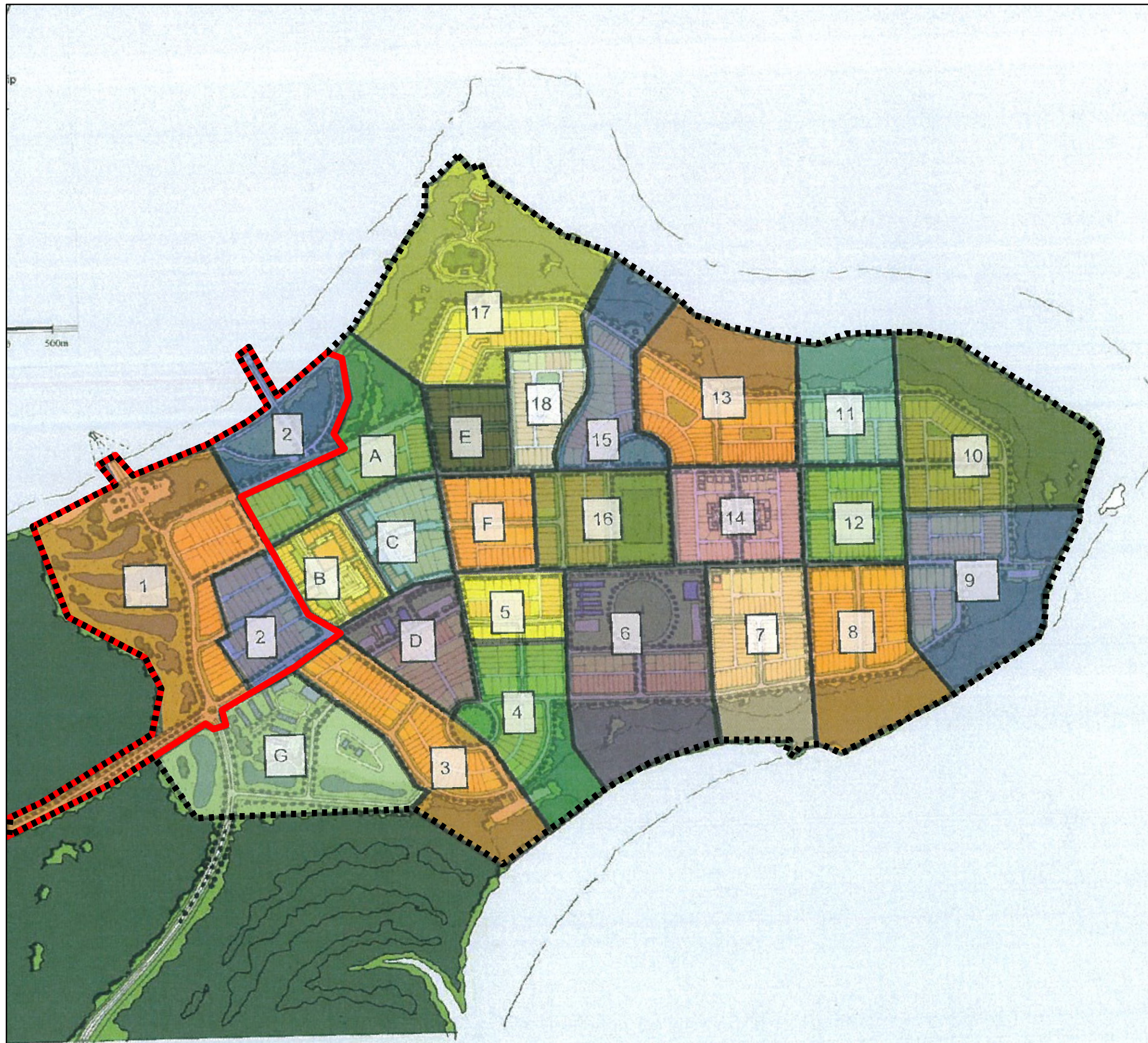
6/2/2009



**Annex B**

## **B. Staging Plan**





# ONE TREE BAY PTY LTD IMB LAND PTY LTD

## Concept and Project Plan

ONE TREE BAY - SUSSEX INLET

### Legend

- Proposed Concept Area
- Proposed Project Application Area
- Proposed Stages - Town Centre and Special Uses
- Proposed Stages - Residential

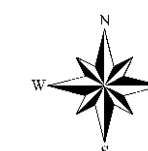
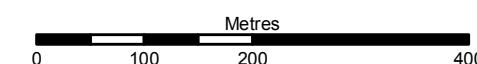


FIGURE 4

Scale 1:7,000 (at A3)



Map Produced by Cardno Forbes Rigby  
Date: 06 March 2009  
Coordinate System: Zone 56 MGA/GDA 94  
GIS MAP REF:  
106053-02\_2809\_Concept\_and\_Project\_Plan.mxd 01



## **Annex C**

# **C. Preliminary Water Sensitive Urban Design Plan**



DO NOT SCALE IF IN DOUBT ASK



REV	DATE	BY	APP.	DETAILS	DRAWING STATUS
					DESIGN BY: MIF 25/07/07
					DRAWN BY: MIF 25/07/07
					DRAFTING CHECK: AJB 2/07/07
					DESIGN CHECK:
					FINAL APPROVAL:
					<b>PRELIMINARY</b>

SCALE:  
(on A1 Original)  
1:2500  
HEIGHT DATUM  
AHD

**Cardno Forbes Rigby**  
278 KEIRA STREET, WOLLONGONG, NSW 2500  
Ph: (02) 4228 4133 Facsimile: (02) 4228 6811 ACN: 051 074 982  
This drawing is subject to COPYRIGHT. It remains the property of Cardno Forbes Rigby Pty Ltd

**PROJECT TITLE**  
ONE TREE BAY  
PRELIMINARY WSUD STUDY  
ST GEORGES BASIN  
for  
One Tree Bay Pty Ltd & IMB Land Pty Ltd

DRAWING TITLE			
STORMWATER MANAGEMENT PLAN			
Project No.	Com No.	Drawing No.	REV
10605	3	SK05	PO

## **Annex D**

# **D. Summary of Consultation**

## CONSULTATION WITH THE COMMUNITY AND GOVERNMENT AUTHORITIES

An extensive program of consultation has been undertaken with the community and government authorities, which is summarised below.

### 1. SHOALHAVEN CITY COUNCIL

Representations to Shoalhaven City Council have resulted in a number of important resolutions of Council concerning One Tree Bay. A time line of key outcomes achieved with Council for the project is presented below:

**July 2005** – Presentation of Concept Plan to Mayor and City Planner of Shoalhaven City Council.

**November and December 2005** – Presentations to Planning Committee of Shoalhaven City Council.

**March 2006** – One Tree Bay proposal exhibited with Sussex Inlet Settlement Strategy.

**October 2006** – One Tree Bay proposal and Settlement strategy reported to Council with Council resolving:

*“Council confirm its interest in the One Tree Bay proposal and this be included in the negotiations”*

**10 April 2007** – Council's Policy and Planning Committee considered the Sussex Inlet Settlement Strategy and the One Tree Bay proposal. It was considered that the Settlement Strategy would be unduly delayed by including One Tree Bay and merely reflecting that the proposal can proceed under the South Coast Regional Strategy was adequate. The resolution of the Committee was:

*“The Council defer the revised Sussex Inlet Settlement Strategy pending a further report from the General Manager (Strategic Planning) on options for the inclusion of the One Tree Bay proposal within the Strategy”*

**24 April 2007** – At full Council a number of options for One Tree Bay were considered, as follows:

Option 1 – No specific mention of One Tree Bay

Option 2 – Include a brief overview of the One Tree Bay proposal within Section 2.1.1 of the Settlement Strategy

Options 3 – Full inclusion of the One Tree Bay proposal within the Settlement Strategy.

Council resolved to support option 2 and also part of option 3 which recommended an amendment of Section 2.1.2 of the Strategy to better accommodate the One Tree Bay proposal. Council's specific resolution is reproduced below:

*“Council adopt the revised Sussex Inlet Settlement Strategy, with the inclusion of additional detail regarding the One Tree Bay proposal in Section 2.1.1 – Future Settlement and amended actions in Section 2.1.1 and 3.1.2 as detailed in the report to Council dated 24<sup>th</sup> April 2007 and seek final comments from the relevant State Government Agencies prior to seeking its endorsement by the Director General of Department of Planning”.*



Exhibition of the One Tree Bay proposal resulted in a number of submissions, which were summarised in Council's Policy and Planning report on the 10<sup>th</sup> October 2006, as follows:

SUBMISSION AUTHOR	ISSUE
<b>One Tree Bay Proposal</b>	
NSW Rural Fire Service	<ul style="list-style-type: none"> <li>A detailed bush fire assessment should be prepared in order to clearly identify the suitability of the site for development.</li> </ul>
Department of Environment and Climate Change	<p>The proponent in relation to the suitability of the land to be dedicated into the National Park system has approached</p> <ul style="list-style-type: none"> <li>Preliminary land assessment indicates a high conservation value of the proposed land to be dedicated making it suitable for inclusion into National Park system.</li> <li>DECC considers that there is a need for some innovative planning solutions for the area given the conservation value of the land to the dedicated and the negative environmental and social outcomes that subdivision into 40 hectare allotments would produce</li> </ul>
Integral Energy	<ul style="list-style-type: none"> <li>Any up-grading work required will be identified on receipt of an application to supply this area, should the proposal proceed.</li> </ul>
Council Groups	<ul style="list-style-type: none"> <li>One Tree Bay proposal should not be supported in the draft Strategy.</li> <li>The proposal recommends an additional village rather than an extension of an existing township Sussex Inlet. Council has a policy of clustering facilities rather than the provision of small centres as proposed by this development.</li> <li>Number of issues in relation to the integration of community facilities, sporting facilities, ownership and maintenance of proposed buffer.</li> </ul>
Department of Planning	<ul style="list-style-type: none"> <li>Did not comment formally. No direction given other than some concern at the lack of integration with existing developed areas.</li> </ul>
General Community	<ul style="list-style-type: none"> <li>Inconsistency with the South Coast Regional Strategy, which states that no new towns or villages will be supported.</li> <li>Concerns with the development in relation to the sensitivity of the site, and the time required to carry out further studies and investigations required before this development could be considered by Council.</li> <li>Substantial revision, analysis, synthesis and integration is required across a host of economic, environmental, and social issues before the strategy can be considered as a way forward for ecologically sustainable development.</li> </ul>

---

**General Submission comments**

---

Council Groups	<ul style="list-style-type: none"><li>• Recommended that off road cycle and walking tracks be incorporated in the spatial analysis as a means of linking existing dispersed settlements as well as any new residential developments.</li></ul>
Roads and Traffic Authority	<ul style="list-style-type: none"><li>• There is a lack of assessment into the potential number of trips generated and associated traffic impacts on the performance of the intersection.</li><li>• A strategic modelling assessment would be required to assess needs for road infrastructure improvements associated with any future development in the Sussex Inlet area.</li></ul>
Department of Primary Industries	<ul style="list-style-type: none"><li>• Further work is required to identify required measures for adoption, to ensure a 'no net decline' and appropriate water quality outcomes are achieved to protect Basin and Swan Lake.</li></ul>
Department of Planning	<ul style="list-style-type: none"><li>• Should explore staging of proposed settlement areas, with priority on infill and increased densities in existing areas. Considered that West Sussex should be the first release area.</li><li>• The extension of the Badgee area needs to be justified in light of the environmental attributes of the site.</li><li>•</li></ul>
Department of Environment and Climate Change	<ul style="list-style-type: none"><li>• The draft strategy is significantly flawed as it is based on totally inadequate consideration of natural and cultural heritage.</li><li>• Clustered development fronting St Georges basin is inappropriate</li><li>• The section of the Verons Estate within the Swan Lake catchments is unsuitable for rural residential development.</li><li>• The Department believes that the potential lot yield outlined in the strategy (for Badgee extension) is significantly overstated. The EEC boundaries need to be verified by onsite mapping and be excluded from the developable area.</li><li>• Habitat corridors should be placed where connectivity values are most intact and be of an adequate width to</li><li>• counter edge effects.</li></ul>

*NOTE: The above comments will be addressed in specific sections of the PEA/EA reports*

**28 September 2007**– Presentation to councillors of Shoalhaven City Council by the Miltonbrook Group and IMB to outline the proposal and to confirm the current status of the project including the impact of changes to the EP and A Act Regulations which require a rezoning of the land. The presentation indicated an intention to request a 'spot rezoning' rather than inclusion of the proposal within the new Shoalhaven LEP. Comments from council representatives at the presentation included the availability of Council's resources to process an application.

**November 2007** – a rezoning application was lodged with Shoalhaven City Council.

**February/October 2008 and February 2009** – rezoning progress meetings held with Shoalhaven City Council staff.

## **2. DEPARTMENT OF PLANNING (DOP)**

**In July 2005** - Miltonbrook met initially on site in July 2005 with Department of Planning staff to discuss the proposal. Whilst potential environmental constraints were flagged by the Department, a willingness to consider the proposal through the Major Projects SEPP was expressed at that time.

**On 1 November 2006** - Miltonbrook met with the Minister for Planning and Member for Kiama at Parliament House. Miltonbrook outlined the One Tree Bay proposal. The Minister explained that the key issue was to address the concerns of the NPWS.

**On 18 Dec 2006** – Site inspection with DoP's Director of Regional Planning (Richard Pearson) & Illawarra Regional Planning Director (Neil McGaffin). Miltonbrook provided a project briefing

**In April 2007** - at the request of the DOP [Illawarra and South Coast Office], a meeting with DOP Strategic Assessment staff was convened. The purpose of the meeting was to firstly explain the One Tree Bay proposal and confirm the Department's requirements for inclusion of the proposal as a State Significant Site under Schedule 3 of the Major Projects SEPP.

The key issues raised by The DoP on the 18th April 2007 were:

- DECC approval of the development area and willingness to accept the proposed land dedication.
- Establish that infrastructure provision will be at no cost to government.
- Establish the need for One Tree Bay in terms of land availability and population growth forecasts.

Subsequent meetings were held with the Department of Planning's Strategic Assessments branch in 2007 (20 September) and the Urban and Coastal Assessments branch (27 September). These meetings confirmed the status of changes to the EP and A Act Regulations in respect developments within 'sensitive coastal locations'.

The effect of these changes has been to introduce a requirement to obtain a rezoning for 'prohibited' development before the Minister may consider a proposal under Part 3A of the EP and A Act.

**In November 2007** - a further meeting was held in with the Regional Office of the Department of Planning to discuss the combined rezoning and the Part 3A Major Project processes.



### **3. NATIONAL PARKS AND WILDLIFE SERVICES AND DECC.**

**In July 2005** - an initial site inspection was undertaken with NPWS officers to outline the proposal and obtain feedback.

**In May 2007** - a further meeting was held with NPWS officers, Miltonbrook and ecological consultants. The proposal for land dedication and the quality of the land/habitat was discussed. It was confirmed that detailed ecological investigations would be required [these investigations have been completed and supplied to NPWS/DECC and are referenced in both the rezoning and PEA reports]

**September 2007** - NPWS (Gary Whitecross & Michael Hood) undertook extensive independent site inspections, followed by a meeting with Miltonbrook, at which time it was conveyed that based upon the investigations conducted by the ecological consultant to date and their own inspections, they were interested in taking the land into the National Parks system. They advised that they had considered the range of plant communities, the maintenance obligations and the opportunities to provide controlled access for the public to the foreshore, likely at two points.

### **4. CONSULTATION WITH FEDERAL AND STATE MEMBERS.**

**December 2004** – presentation/discussions with Joanna Gash (Federal MP for the seat of Gilmore) by Miltonbrook.

**20 Oct 2006** – Meeting at Shoalhaven City Council. Planning Minister, Frank Sartor, discussed the terms of the South Coast Regional Strategy. The OTB proposal was discussed with numerous councillors at the meeting.

**22 Jan 2007** – presentation/discussions with Matt Brown MP (Member for Kiama). by Miltonbrook.

**6 Sept 2007** – presentation/discussions with Shelly Hancock MP (Member for South Coast) by Miltonbrook.

**23 Feb 2009** – meeting with Matt Brown MP to provide a progress report on the project.

## **5. COMMUNITY CONSULTATION.**

**19 Oct 2005** – Sussex Inlet Community – Telephone conference with Community Association leaders from St Georges Basin by Miltonbrook.

**1 June 2006** – Sussex Inlet Community. Miltonbrook addressed a public meeting at the Sussex Inlet Community Hall regarding the proposal.

**9 March 2009** – Explanation of the project to Arthur Rorris of the South Coast Trades & Labour Council by Miltonbrook (at their invitation).

## **6. MEDIA**

**20 December 2005** – Series of meetings to brief the following on the proposal by Miltonbrook: Editor of the South Coast Register - Mathew McKenzie - Bay & Basin Times (Anne Duffy).

**February 2009** – Media Release by Shoalhaven City Council concerning Section 54 Rezoning advice.