



SOUTH COAST CORRECTIONAL CENTRE

500 BED MULTI CLASSIFICATION SECURITY FACILITY

PART 3A MAJOR PROJECT MODIFICATION APPLICATION

RESPONSE TO SUBMISSIONS

Prepared for



**By
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1. INTRODUCTION

This Response to Submissions Report relates to the application under Section 75W of the Environmental Planning and Assessment Act 1979 to modify the concept plan for the development of a new 500 bed multi-classification security correctional facility at a site approximately 5km to the south of Nowra city centre.

The proposed development forms part of a state programme to increase correctional centre provision in NSW.

The Environmental Assessment report relating to the above modification application was exhibited from 23 September 2009 to 23 October 2009. During and after that period a total of 24 submissions was received by the Department of Planning. Nineteen submissions were from the public and 5 from public authorities including Shoalhaven Council and Shoalhaven Water.

The Proponent (Corrective Services NSW) has considered the issues raised in the submissions made during the exhibition period and has implemented various actions in relation thereto.

2. CONSIDERATION OF SUBMISSIONS

The following table presents a summary of the issues raised in the submissions made during and after the exhibition period. A total of 24 submissions were received by the Department of Planning. Of these:-

- 19 were from private individuals (11 of which were a form email);
- 5 were from State and local government agencies;

The table provides the proponent's response to the submissions.

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
Public Submissions				
1	Public Submission	<ul style="list-style-type: none"> Construction of an additional 100 beds and a community offenders support program in a tourist area is a complete turnoff for people living and holidaying in the area; Increase in crime rate will result from community offenders support program; Increased traffic on a busy highway. 	<p>The EA addresses impacts on tourism (SEIA Section 4.6.5). As in other correctional centres' experiences, there is no evidence to suggest that the correctional centre has or will deter people from visiting the Shoalhaven. Correctional centre visitors, both inmate relatives and professionals, have a positive economic impact on the tourism industry, particularly in regards to the accommodation sector. Shoalhaven has a strong a vibrant tourist industry based around the coastal attributes and hinterland. The additional facilities will make a contribution to a more diversified economic base. SCCC is not visible from the Princes Highway and thus would not be apparent to most tourists.</p> <p>It is considered that the addition of the COSP Centre will have a positive social impact through the provision of an ancillary facility which reduces the risk of re-offending through assisted community re-integration and resettlement. The additional community and support services will reduce the impact of the correction centre on existing services available in Nowra. It is expected that there would be a reduction in crime because residents of the facility would be provided with stable accommodation in a supportive environment which would not otherwise be available to them. Residents of the facility are most likely to be from the Shoalhaven and the South Coast area prior to sentence.</p> <p>The traffic impacts have been assessed in the report accompanying the modification application and were found to be minimal and acceptable.</p>	Social and economic commitments are included in the EA. No additional commitments required in response to this issue.
2	Public Submission	<ul style="list-style-type: none"> Extra beds and proposed community housing will result in increased crime in the Nowra region; 	<p>It is considered that the addition of the COSP Centre will have a positive social impact through the provision of an ancillary facility which reduces the risk of re-offending through assisted community re-integration and resettlement. The additional community and support services will reduce the impact of the correction centre on existing services available</p>	

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
		<ul style="list-style-type: none"> Gaol is an embarrassing eyesore ridiculously located on the Princes Highway; Shouldn't be any bigger than it already is; Adverse impacts on property values and will discourage developers; Deterrent to visitors and tourists. 	<p>in Nowra. It is expected that there would be a reduction in crime because residents of the facility would be provided with stable accommodation in a supportive environment which would not otherwise be available to them. Residents of the facility are most likely to be from the Shoalhaven and the South Coast area prior to sentence.</p> <p>The correctional centre is not visible from the Highway or from the surrounding main street system. It is centrally located in a large site.</p> <p>Impacts on property values were discussed in detail on the SEIA (Section 5.5). There is no evidence to suggest that the presence of a correctional centre has an adverse impact on property values.</p> <p>Impacts on tourism discussed in relation to Submission No. 1.</p>	
3	Public Submission	<ul style="list-style-type: none"> How many inmates will remain in the area after attending COSP who were not living in Nowra before?; How many people will move to Nowra (other than inmates) because of the SCCC and where will these people live. 	<p>It is expected that the residents of the COSP (they are not inmates) will have their last known address on the South Coast. The facility provides stable accommodation in a supportive environment which would not otherwise be available to the residents. Therefore it is expected that the facility will reduce the potential for re-offending.</p> <p>The likelihood of families of inmates moving to the area and of inmates staying in the area after release has been investigated in detail in the SEIA accompanying the EA (Section 4.6.1 to 4.6.3).</p> <p>In relation to families of inmates the SEIA found that <i>a certain proportion of inmates' partners and families may choose to relocate as a result of the SCCC. It is impossible to predict the numbers, or to know whether they would choose to live in Nowra or in neighbouring towns. A small additional demand for services provided by the Department of Housing, the Office of Community Housing, the Aboriginal Housing Office and other low cost housing providers and welfare services and community health services as a result of families relocating to Nowra is likely. This</i></p>	Social and economic commitments are included in the EA. No additional commitments required in response to this issue.

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
			<p><i>situation should be monitored by the relevant housing providers, welfare service providers and the SCCC management, possibly through the Community Consultative Committee to address any potential increase in demand for accommodation or services from the families of inmates moving into the area.</i></p> <p>In relation to inmates staying in the area on release, the SEIA found:</p> <p><i>Overall, it can be summarised that there is little evidence to suggest that there will be a significant number of inmates from the proposed facility who will choose to stay in the area or who will commit crimes in the area immediately upon release.</i></p> <p>The SCCC is a regional facility with the COSP serving a smaller catchment. Residents requiring COSP accommodation from Wollongong would stay at a facility in Wollongong.</p>	
4	Public Submission	I am very against the Nowra Jail.	Noted	No additional commitments required.
5	Public Submission	<ul style="list-style-type: none"> Please consult the community, council and local government representatives; 	Council and local community was consulted extensively in the selection of the site and the development process.	No additional commitments required.

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
		<ul style="list-style-type: none"> Project not wanted in this pristine environment; Opposed to development. 		
6		I object	No response required	
7		<ul style="list-style-type: none"> COSP poses a serious safety risk to family and nearby residents; Recently released inmates will not be closely monitored; Recently released inmates would be best in the general community where they can establish relationships and increase their chance of integration. 	<p>It is considered that the facility will not pose a significant safety risk to nearby residents. The purpose of the facility is to provide guidance and assistance to recently released inmates to help them adjust to life outside the correctional centre environment. In this manner it is expected that re-offending will be reduced.</p> <p>It is not accepted that recently released inmates would be best dealt with in the general community. Such inmates are provided with accommodation in the COSP because there are no other alternatives available to them.</p>	
8		<ul style="list-style-type: none"> Construction trucks accessing the site early in the morning and late at night; Pollution from construction traffic; Interruptions to water supply 	<p>The additional construction traffic resulting from the modification will be minimal. The current problems have been addressed with local residents.</p> <p>Issues raised concern the construction of the existing facility. Complaints handling mechanisms are in place as part of the construction management plan providing a mechanism for such issues to be addressed.</p>	

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
		<p>during construction;</p> <ul style="list-style-type: none"> There are 8 houses in Oxford Street which used to be a quiet street that residents were told would be zoned commercial or industrial; Noise impacts from construction activity; Requests assistance for the 8 families on Oxford Street. 		
9 to 19	Public Submissions	<ul style="list-style-type: none"> Totally object to jail in Nowra; Do not want former inmates who have a high chance of reoffending lurking in the streets; Concern over safety in the South Nowra business area; No consultation on the COSP This is political bullying. 	These issues are discussed above in relation to the previously considered submissions.	

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
Government Authority Submissions				
1	RTA	Given that access is via Oxford Street and Central Avenue, RTA has no objections	No response required.	No additional commitments required.
2	DECCW	<ul style="list-style-type: none"> Department of Environment Climate Change and Water understands that the proposal requires removal of approximately 3000 square metres of trees; Approval requires balance of the site to be managed for the conservation of its natural values; DECCW asks DOP to take this into consideration and determine if the proponent is required to implement additional measures to offset biodiversity impacts that may potentially arise from the project. 	<p>In the Preferred Project Report for the SCCC, a number of commitments were made to mitigate any potential impacts of the development on flora and fauna. These included the preparation of a Vegetation Management Plan (VMP) for the residual land to ensure appropriate management of the vegetation. These measures were developed following detailed discussions with the DECCW.</p> <p>In its submission to the modification application, DECCW have asked DOP to take these commitments into consideration and determine if the proponent is required to implement additional measures to offset biodiversity impacts that may potentially arise from the project.</p> <p>The DECCW is correct in that the area of the residual land that remains forested is reduced by 0.3 hectares; this is out of a 100 hectare site. This is not a significant area in terms of scale or in terms of significant habitats (as the flora and fauna report).</p> <p>It is submitted that an appropriate response to this would be for Corrections NSW to be required to undertake further discussions with DECCW with a view to determining action that can be taken including offsets to mitigate the loss of additional vegetation on the site.</p> <p>This is considered appropriate in view of the findings of flora and fauna studies that the development is not likely to have a significant impact on any threatened species, populations or communities listed under the</p>	No additional commitments required.

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
			Threatened Species Conservation Act, 1995, or their habitats.	
6	NSW Rural Fire Service	RFS refer to requirements regarding bushfire protection as required by <i>Planning for Bush Fire Protection 2006</i> ,	The recommendations of the bushfire report contained in Appendix 4 of the Modification EA will be implemented.	Statement of Commitments changed accordingly.
8	Shoalhaven City Council	<ul style="list-style-type: none"> Council questions whether the flora and fauna assessment was based on additional surveys; Reliance on VMP is not supported as there is no evidence that this has achieved appropriate outcomes; Shoalhaven Waters requirements are repeated; Transportation of COSP residents not adequately covered requests change to SOC to reflect different needs of visitors to the centre and to COSP. 	<p>The site of the proposed facility was inspected for the purposes of the modification application in order to complete the supplementary flora and fauna assessment. Two additional site visits to the site of the COSP were made to (1) confirm previous findings and (2) to carry out more detailed work on the actual site, as described in the flora and fauna report.</p> <p>There is DECCW agreement to the VMP.</p> <p>The transport of COSP residents is addressed in the modification application. Transport of residents would be the responsibility of Corrections NSW. Specific reference to this is included in the revised statement of commitments following (Commitment C under the heading of Access and Movement).</p>	Statement of Commitments revised as requested by Council.

No.	Submitter	Issues Raised	Response and Mitigation Strategy	Commitment
9	Shoalhaven Water	<ul style="list-style-type: none"> Written application required to modify requirements for water and sewer; Applicant to undertake review of approved sewer pump station and rising main to ensure sufficient capacity for additional load; Metre and service to be located in accordance with AS3500; Development to be served by one metered service only; The applicant to provide written confirmation from the Minister for Planning regarding any discount/exemption of S64 Contributions. 	<p>Noted</p> <p>Noted</p> <p>Shoalhaven Water has agreed to the proposed location of the meter.</p> <p>Noted</p> <p>The exemption already received for this project will suffice. The grounds for that exemption have not changed.</p>	

3. REVISED STATEMENT OF COMMITMENTS

A revised Statement of Commitments was provided in the Preferred Project Report for the SCCC. Following consideration of the submissions made during (and after) the exhibition period, the Proponent has amended this Statement of Commitments with a view to further mitigating the potential adverse environmental impacts arising out of the proposed Project. The revised Statement of Commitments is set out below with the revisions shown in bold type.

Corrective Services NSW' proposed Statement of Commitments for the project, and details of how the project will be managed to minimise potential impacts both during construction and operation, are outlined below.

General

- A The development will be undertaken generally in accordance with the Environmental Assessment Report dated November 2007 prepared by BBC Consulting Planners Pty Ltd (including accompanying appendices), the Preferred Project Report dated April 2008 prepared by BBC Consulting Planners (**including drawings accompanying the Preferred Project Report**), **the Environmental Assessment Report of the Application to Modify Concept Plan Approval No 07_0053 dated September 2009 prepared by BBC Consulting Planners Pty Ltd (including accompanying appendices) and the Response to Submissions Report dated December 2009 prepared by BBC Consulting Planners.**
- B The proponent is committed to the principles of sustainability as defined in the Environmental Planning and Assessment Act, 1979. The construction and operation of the correctional centre will be undertaken in accordance with the Premier's Memorandum No.2003-2 High Environmental Performance for Buildings and the requirements of the Environmental Performance Guide for Buildings (EPGB).
- C The proponent will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.
- D The proponent will continue to liaise with the local community during the development process.
- E The proponent will continue to liaise with Shoalhaven Council during the development process.

Social and Economic

- A The proponent will monitor the social and economic impacts of the correctional centre.
- B Local recruitment programmes will be employed.
- C The DCS will establish a community consultative committee during the construction phase of the project and will maintain this committee during the operational phase.

Services

- A The proponent will comply with the requirements of the relevant public authorities in regard to the connection to, relocation and/or adjustment of services affected by the construction of the proposed development.

Water Management

- A Water saving devices will be used including dual-flush toilets and reduced flow shower heads.
- B Landscaping will include drought tolerant plant species.
- C Rainwater harvesting tanks will be constructed and rainwater will be recycled for toilet flushing.

Materials

- A Any timber used will be sourced from plantations or from sustainably managed regrowth forests.

Flora and Fauna

- A The proponent will provide landscaping in accordance with drawing submitted with the Preferred Project Report and in accordance with these commitments.
- B The proponent will seek to retain as many trees as possible within the Site.
- C All trees on the Site within the vicinity of areas of works that are to be retained will be suitably protected by way of tree guards, barriers or other measures as necessary to protect root systems, trunks and branches during construction and demolition.
- D Resident wildlife will be captured and relocated prior to the commencement of site works.
- E A suitable person will be on-site during site clearance to check trees to be felled for hollows and wildlife (e.g. bats, arboreal mammals or birds) and to take appropriate measures to capture, care for and relocate/release wildlife where necessary.
- F The proponent proposes that the residual land be protected and managed for the conservation of its natural values.
- G A Vegetation Management Plan (VMP) will be prepared for the residual land to ensure appropriate management. The VMP should contain:
 - a statement of objectives;
 - a description of the area to which the plan applies;
 - a vegetation map;
 - a map of significant features, such as the creeks;
 - strategies for access, maintenance of retained tracks, rehabilitation of redundant tracks;
 - reuse of organic debris cleared from development site;
 - use of pesticides and inorganic fertilisers;
 - re-establishment of riparian vegetation at creek crossing

points;

- weed control, erosion control, etc;
- a monitoring and review program.

- H The residual land will be protected and managed for the conservation of its natural values. This would allow for animal foraging; a buffer capacity to protect adjacent remnant bushland; and also an area for revegetation so that overall tree number are not reduced..
- I A stormwater management and recycling plan will be prepared to capture and recycle stormwater runoff from all buildings and impervious surfaces area within the correctional centre. This is to ensure that there are no indirect, offsite stormwater impacts upon the flora / fauna in the catchment.
- J Existing trees will be incorporated into the landscaping plan for the facility.
- K Organic debris cleared from development site (e.g. tree trunks, branches, leaf litter and dead wood) will be distributed across the residual land to enhance its habitat value for flora and fauna. Organic debris would be valuable for rehabilitating any unnecessary tracks on the site.
- L Local indigenous plant species will be utilised in the landscaping.
- M The water detention ponds on the site will be developed as habitat for local fauna, as well as functioning as water quality ponds. The use of local wetland plant species around the ponds is recommended. This aspect will be addressed in the VMP.
- N The access road crossing the watercourse will be carefully designed and constructed to ensure that as much as possible of the riparian vegetation is retained and that water flows are maintained near the natural flow regime. The area should be revegetated, as should the existing creek crossing, with appropriate riparian species.
- O Pipelines for water supply and sewage will enter the project area in the same location at the northern end of the site and that they follow the same route southwards to the facility, preferably along an existing vehicle track.
- P No pesticides or inorganic fertilisers to be used on the grounds of the facility where there is a potential for them to enter the surrounding catchment. A 50 metre buffer zone will be established around water courses, where pesticides and inorganic fertilisers will not be used.

Access for People with Disabilities

- A The design of the facilities will permit effective, appropriate, safe and dignified use by all people, including those with disabilities and will be in accordance with relevant standards.

Bushfire Hazard

- A Asset protection zones will be established and maintained as recommended in the EA and PPR.

- B An bush fire evacuation plan will be prepared prior to the commencement of operations at the centre
- C A bushfire management plan be prepared and implemented for the site to ensure that suitable mechanisms are in place for the ongoing management of the vegetated areas of the site.
- D The facility will be constructed and operated to satisfy the recommendations the bush fire assessment contained in Appendix 5 of the Environmental Assessment.

Operation

- A An operational environmental management plan will be prepared prior to the intake of inmates at the new facility. The plan will address, but will not be limited to, the following matters:
 - Protection of flora and fauna and minimisation of anti-social behaviour;
 - Visitor safety;
 - Site security;
 - Noise management;
 - Traffic and pedestrian management;
 - Storage of materials;
 - Emergency and evacuation procedures;
 - Fire safety;
 - Waste management and ESD initiatives;
 - Lighting; and
 - Signage external to and within the site.
- B A Waste Management Plan describing the procedures for the disposal of all waste generated by the new minimum security facility will be prepared.

Construction Management

- A Prior to the commencement of construction, a Construction Environmental Management Plan will be prepared. This plan will include:
 - Development of a site specific soil erosion and sediment control plan;
 - Details of construction hours;
 - Air quality/dust control procedures;
 - Noise management procedures;
 - Construction Waste Management Plan;
 - Flora and Fauna Protection Plan;
 - Community Safety Plan;
 - Arrangement for pedestrian and vehicular access during construction;
 - Storage and handling of materials procedures;
 - Environmental Training and Awareness;
 - Contact and complaints handling procedures; and

- Emergency preparedness and response.
- B Measures to control soil erosion during construction will be introduced in accordance with currently accepted principles, as described in Managing Urban Stormwater (EPA NSW) and Soil Erosion and Sediment Control (The Institute of Engineers, Australia).
- C Access to existing facilities within the Site will be maintained during construction.

Ecological Sustainable Development

- A The proponent is committed to the principles of sustainability as defined in the Environmental Planning and Assessment Act, 1979. The construction and operation of the correctional centre will be undertaken in accordance with the *Premier's Memorandum No.2003-2 High Environmental Performance for Buildings* and the requirements of the *Environmental Performance Guide for Buildings* (EPGB).
- B The engineering services and building passive design will complement each other in design and operation to jointly achieve the functional outcomes for the building, including providing an energy efficient, healthy, thermally comfortable and acoustically acceptable indoor environment.
- C Water conservation and water cycle management will be considered in the design (e.g. rainwater reuse, stormwater management, water recycling).
- D Only environmentally sound materials (with minimal impact on the environment, minimised use of non-renewable resources, non-hazardous substances, minimised impact on indoor air quality and high recycled/recyclable content) will be used wherever possible.

Access and Movement

- A An Access and Safety Plan will be prepared to maintain access and use of the Site during the redevelopment programme to ensure the safety of staff and visitors.
- B A minimum of 305 parking spaces will be provided on the subject land in a manner that is in accordance with Australian Standard AS2890.1 – 1993 *Car Parking Requirements*.
- C DCS, in conjunction with the CCC, will determine the level of need for transportation of visitors to the Centre **and residents of the COSP**, and will implement a suitable solution.