



NSW GOVERNMENT
Department of Planning

22 April 2009

Contact: Michelle Cramsie
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Our ref: MP 09-0082 & MP 09-0083

Mr Bill Mitchell
Project Director – Calderwood Valley
Delfin Lend Lease
Ropes Crossing Boulevard
ROPES CROSSING NSW 2760

Dear Mr Mitchell,

**Calderwood Urban Release Area – Concept Plan, Stage 1 Project Application and
Proposed State Significant Site Listing**

I write in response to the letter of 6 February 2009 from Mr Simon Basheer concerning the above project.

I am pleased to advise you that on 16 April 2009, pursuant to Clause 6 of the Major Projects SEPP, the Minister for Planning formed the opinion that the proposed development constitutes a Major Project and also authorised the submission of a Concept Plan for the site. In doing so the Minister also formed the opinion that a State significant site (SSS) study be undertaken to determine whether to list the site a State Significant site in Schedule 3 of the *State Environmental Planning Policy (Major Projects) 2005*. Please find attached the SSS study requirements (Appendix 1).

As discussed, we intend to hold a planning focus meeting with Council and agencies to assist in the preparation of Director General's Environmental Assessment Requirements. In order to progress this matter please provide eight (8) hard copies of the preliminary assessment report prepared by Delfin Lend Lease dated February 2009, and any other additional information that may assist stakeholders to identify the key issues which may be included in the DGRs.

Should you have any questions please do not hesitate to contact Michelle Cramsie on 9228 6534 or by email at michelle.cramsie@planning.nsw.gov.au

Yours sincerely

Michael File
Director, Strategic Assessments

**Scope of study to be undertaken to determine whether the
Calderwood Urban Development Project should be inserted in Schedule 3 to
the *State Environmental Planning Policy (Major Projects) 2005***

The following issues will be considered and assessed as part of the study to be undertaken pursuant to clause 8 of the *State Environmental Planning Policy (Major Projects) 2005* (Major Projects SEPP) to determine whether the site should be included as a State significant site in Schedule 3 to the SEPP:

- (a) the State or regional planning significance of the site (having regard to the Department of Planning's *Guideline for State Significant Sites under the Major Projects SEPP*);
- (b) the suitability of the site for any proposed land use taking into consideration environmental, social or economic factors, the principles of ecologically sustainable development and any relevant State or regional planning strategy;
- (c) the implications of any proposed land use for local and regional land use, infrastructure, service delivery and natural resource planning;
- (d) those parts of the site which should be subject to Part 4 of the *Environmental Planning and Assessment Act 1979* with Council as consent authority;
- (e) the development controls for the site that should be included in Schedule 3 of the Major Projects SEPP generally in accordance with the provisions of the *Standard Instrument (Local Environmental Plans) Order 2006* and;
- (f) the means by which local and regional developer contributions should be secured in respect of the site.
- (g) ecological characteristics such as critical habitat and threatened species.
- (h) appropriate arrangements for the dedication of land to council for public open space purposes.



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Our ref: MP 09_0082 & MP 09_0083
File: S09/00671

Mr Bill Mitchell
Project Director - Calderwood
Delfin Lend Lease
PO Box 1124
ST MARYS NSW 1790

Dear Mr Mitchell,

**Calderwood Urban Development Director General's Requirements
Concept Plan Application MP 09_0082 & Stage 1 Project Application MP 09_0083**

I refer to your request for Director General's requirements for the above proposal made on 9 February 2009.

The Director General's Requirements (DGRs) for the proposed Concept Plan and Stage 1 Project Application are attached with this letter, pursuant to Section 75F (2) of the *Environmental Planning and Assessment Act 1979* (the Act). They have been prepared in accordance with the Act after considering relevant guidelines. Copies of submissions made by agencies in relation to the preparation of the DGRs have also been attached for your information.

The DGRs have been based on information provided with your application. Section 75F (3) of the Act permits subsequent modification of the DGRs to address unidentified environmental impacts. If these powers are used, you will be formally notified of changes to the DGRs.

The DGRs require that you, or someone acting on your behalf, prepare an Environmental Assessment (EA) for the project. A single copy of the EA should be lodged with the Department to determine whether it adequately addresses the DGRs. You will then be advised of the acceptance of the EA, the number of copies of the EA to be submitted for public exhibition, and the application fees payable.

The officer, Michelle Cramsie is available during business hours on 9228 6534 or via email to michelle.cramsie@planning.nsw.gov.au

Yours sincerely

Giovanni Cirillo
Executive Director
Urban Renewal & Major Sites

Part 3A – Project Application

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application No.	MP 09_0082 (Concept Plan) and MP 09_00083 (Stage 1 Project Application)
Project	Concept Plan and Stage 1 Project Application – Calderwood Urban Development Project
Site	Land at Calderwood (refer to attached schedule)
Proponent	Delfin Lend Lease
Date of Issue	10 June 2009 <i>(If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.)</i>
General Requirements	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> (1) An executive summary; (2) A detailed description of the project including the: <ol style="list-style-type: none"> (a) strategic justification for the project; (b) alternatives considered; and (c) various components and stages of the project in detail (and should include infrastructure staging); (3) A consideration of the following with any variations to be justified: <ol style="list-style-type: none"> (a) all relevant State Environmental Planning Policies, (b) all applicable planning instruments, including relevant Council LEP and DCP instruments, and (c) relevant legislation and policies, including the <i>Illawarra Regional Strategy</i>. (4) A draft Statement of Commitments, outlining commitments to the project's management, mitigation and monitoring measures with a clear identification of who is responsible for these measures; (5) A detailed conclusion justifying the project, taking into consideration the environmental impacts of the proposal, mitigation measures to address these impacts, the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest; (6) Identify the development contributions applicable to the site and, if relevant, and any public benefits to be provided with the development, and consider any relevant development contributions plans prepared to date; (7) A signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading; and (8) A report from a quantity surveyor identifying the correct capital investment value for the concept plan and the stage 1 project application.
Key Assessment Requirements	<p>Strategic Planning</p> <ul style="list-style-type: none"> • Demonstrate consistency with the revised MDP boundary as discussed in the Illawarra Regional Strategy, and justification for any variation. • Demonstrate that the site can be serviced independently of the West Dapto release area, and therefore will not significantly impact upon the provision of infrastructure for West Dapto. <p>Urban Design</p> <ul style="list-style-type: none"> • Undertake a site analysis that identifies the relevant natural and built environmental features. The site analysis should form the basis for justifying the configuration of the development of the land and the mix of land uses. • Provide suggested new controls and urban design guidelines to regulate the development, including the subdivision pattern, lot sizes, development controls and management arrangements. • Details of the proposed landscaping and open space areas.

- View analysis, including artist's perspective and photomontages.
- Staging and timing of the development of the site.
- Linkages with existing and proposed urban development adjoining the site.
- Aircraft noise and aircraft safety issues due to the proximity of the Illawarra Regional Airport.

Transport and Accessibility

- Prepare a Traffic Management Plan that considers the traffic constraints of the site and surrounding locality.
- Demonstrate a strategy for providing linkages to regional transport networks.
- Demonstrate that there is the ability for sites located within the release area, but not within the proponent's control, to connect to infrastructure.
- Detailed traffic modelling to determine level of infrastructure needed plus annual traffic growth/approved development (including Delmo Albion Park).
- Timing/delivery/scope of local and regional road infrastructure.
- Network modelling for impacts on Illawarra Highway, Princes Highway/Southern Freeway, Tongarra Road, Marshall Mount Road, Yallah Road and the future Southern Freeway corridor between Yallah and Oak Flats.
- Intersection modelling using SIDRA for any junctions likely to be impacted by the development as identified in network modelling, including AM and PM peaks, from the occupation of the Stage 1 development to the completion of the full development of the Concept Plan site.
- Identify infrastructure including road, pedestrian and cycling infrastructure to ameliorate the impacts of the development.
- Measures to promote public transport usage and reduce car usage.
- Identify various Travel Demand Management (TDM) measures that will optimise the opportunity provided by the projects sites proximity to public transport.
- Provide a road network plan identifying the proposed road hierarchy including cycleways, footpaths and car parking. Plan should identify public, private roads and typical cross sections and long sections.
- Prepare a Transport Management and Accessibility Plan (TMAP) generally in accordance with the Ministry of Transport's *Interim TMAP Guidelines*, also including:
 - Staging/Sequencing Plan;
 - Measures to maximise public transport, walking and cycling;
 - Proposed pedestrian, cycling and public transport infrastructure, and;
 - Measures to mitigate any potential impacts on pedestrian safety.

Biodiversity

- Address the impact of the development on existing native flora and fauna and their habitats, including identified threatened species (eg. Illawarra Lowland Grassy Woodland, and *Lespedeza juncea* and *Chonzema parviflora* species), having regard to the Threatened Species Assessment Guidelines and recommend offset measures to avoid or mitigate impacts on threatened species and their habitat.
- Evaluate the ecological values of Johnsons Spur and Yallah-Calderwood Regional Habitat Corridor on this site for development (including any road upgrades).
- Identify the ecological attributes of the lands proposed for dedication and how the environmental land offsets scheme will mitigate the impacts of the development.
- Discuss the development of ecological corridors to link flora and fauna corridors both on and adjoining the site.

Flooding

- Assessment of any flood risk for the site should be conducted in accordance with the NSW Government's Flood Prone Land Policy as set out in the Floodplain Development Manual 2005.
- Flood Study Report for existing conditions is to be prepared to include hydrologic and hydraulic models, calibration against existing local flood records, downstream and upstream conditions, and floodplain characteristics.

- Flood Risk Management Assessment Report for the development including estimation of Flood Planning Levels and Flood Planning Area, extent of flood prone and mapping, flood behaviour, flood risks up to the PMF, evacuation, and impacts of climate change.
- Consider Shellharbour Council's Floodplain Risk Management DCP and justify any departure.
- Consideration of upstream and downstream flows and impacts of development yet to be built.
- Assess geomorphic impacts on the watercourses and floodplain area affected by the proposal.

Water Courses/Riparian Corridors

- Detail protection of watercourses of riparian lands in relation to the following
 - The NSW State Rivers and Estuaries Policy;
 - The NSW Wetlands Management Policy;
 - The State Natural Resource Management Targets (particularly Targets 1 & 5);
 - Stream mapping including watercourses on the site, riparian corridors, APZs and proposed revegetation of riparian corridors.
- Surface Water and Groundwater assessment including any proposed surface water and groundwater extraction volumes, function and location of proposed storage/ponds, design, layout, pumping and storage capacities, and all associated earthworks and infrastructure works.
- Details on any water management structures/dams both existing and proposed including size and storage capacity.
- Identify groundwater issues including predicted highest groundwater table at the site, works likely to affect groundwater surfaces, and proposed extraction, prevention of groundwater pollution.
- Provide a scaled plan to detail wetlands on or adjacent to the site, buffer setbacks, any Asset Protection Zones and the footprint of the proposed development.
- Assess any potential impact on surrounding waterways and wetlands in terms of water quality, aquatic ecosystems and riparian corridors. This should include but not be limited to:
 - Onsite pollution such as accidental spills and sewer overflows;
 - Risks such as weed invasion, encroachment and litter; and
 - Vegetated buffer zones.

Drainage and Stormwater Management

- The EA should address drainage and stormwater management issues, including: on site detention of stormwater; water sensitive urban design (WSUD); and drainage infrastructure.
- Consider Shellharbour Council's Stormwater Policy and Subdivision Code for stormwater design and infrastructure, and justify any departure.

Ecologically Sustainable Development (ESD)

- Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development including water sensitive urban design measures, water re-use, energy efficiency, energy minimisation/generation, recycling, waste disposal and trip containment.

Heritage

- A heritage impact statement should be prepared in accordance with NSW Heritage Office guidelines. The statement should assess the impacts of the application on the area and any significant components of the site. The heritage significance of the area and any impacts the proposed development may have upon this significance is to be assessed.

- The EA is to identify the nature and extent of impacts on any Aboriginal cultural heritage and address the requirements set out in the *draft "Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation"*.

Bushfire Risk Assessment

Provide an assessment against *Planning for Bush Fire Protection 2006*. The EA is to identify the ongoing management arrangements of any proposed APZs.

Utilities Infrastructure

- Prepare a utility and infrastructure servicing strategy detailing supply of water, sewerage, stormwater, gas, electricity and telephone services.
- Consideration should be given to technologies which may reduce the demand or need for servicing or provide for the supply of sustainable services.

Social and Community

- Demonstrate that the appropriate housing diversity and affordability are provided.
- Provide a social assessment of the project giving consideration to the range of possible social impacts and identify positive and negative social impacts of the project, including measures to ensure the development will integrate socially with local communities.
- Demand for social and community facilities and proposed S94 contributions.
- Details of open space and community facilities, ongoing maintenance, and arrangement for public use, especially as the site is in 2 local government areas.

Agricultural land

Address the impact of the development on primary production values and practices of adjoining rural areas and whether any impacts on regional significant areas of food production may result.

Planning Agreements and/or Developer Contributions

- The environmental assessment should address and provide the likely scope of planning agreement (should one be proposed) and/or developer contributions between the proponent, Council and other agencies for matters such as community, regional and local infrastructure.
- It should address demand, proposed services, local and regional services and cross boundary/LGA issues.

STAGE 1 PROJECT APPLICATION

Site Preparation Works

The EA should include the following:

- Detailed site survey
- Any likely geotechnical impacts and mitigation measures
- Groundwater details
- Erosion and sediment controls
- Any potential contamination on the site
- Cut and fill proposed and whether any fill is proposed to be imported or exported to/from the site

Subdivision Works

- Detailed subdivision layout, including covenants, easements and notations proposed for each land title.
- Detailed design of infrastructure including roads (including typical cross sections and long sections), drainage, open space, pedestrian and bicycle infrastructure.
- Staging plan.

Test of Adequacy	<p>If the Director-General considers that the Environmental Assessment does not adequately address the Environmental Assessment Requirements, the Director-General may require the proponent to submit a revised Environmental Assessment to address the matters notified to the proponent.</p> <p>The Director-General may modify these requirements by further notice to the proponent.</p>
Consultation Requirements	<p>During the preparation of the Environmental Assessment, you should undertake an appropriate level of consultation with the relevant Local or State government authorities, service providers, and other stakeholders.</p> <p>In addition the EA is to include written evidence of consultation with the following:</p> <p>Agencies, other authorities and groups:</p> <ul style="list-style-type: none"> • Wollongong City Council • Shellharbour City Council • NSW Roads and Traffic Authority • NSW Ministry of Transport • Department of Environment and Climate Change • Department of Water and Energy • Lake Illawarra Authority • NSW Rural Fire Service • Department of Primary Industries • Department of Education and Training • All relevant utility providers <p>A detailed community engagement strategy for the project</p>
Deemed Refusal Period	60 days (see Clause 8E of the <i>Environmental Planning and Assessment Regulation 2000</i>).
Application Fee Information	The application fee is based on Capital Investment Value (CIV) of the project as defined in the Major Projects SEPP and as set out in Clause 8H of the <i>Environmental Planning and Assessment Regulation 2000</i> . To verify the cost of works for this project you are requested to submit a Quantity Surveyor's report to detail the CIVs of the Concept Plan and the Stage 1 Project Application.
Landowners Consent	Landowner's consent is to be provided in accordance with the <i>Environmental Planning and Assessment Regulation 2000</i> .