

AGENCY	AGENCY'S COMMENTS	DEPARTMENT'S COMMENTS
Shellharbour City Council (SCC)	Does not comply with the IRS	The site is identified for urban development in the IRS and IUDP. Refer to section 5.2 of the assessment report.
	Will prematurely trigger the need for major unfunded road upgrades in the Council area	Traffic impacts and provision for road upgrades considered in the assessment report. Due to the constraints identified in the existing road network, it is recommended that staging of the development is managed to reduce the impact on the State and local road network.
	Will place an unsustainable maintenance burden on Council, especially open space, and outstrip rates revenue form the development	The Concept Plan proposal provides indicative location of public open space. Open space provision and management is addressed in the assessment report.
	Will have unacceptable flood impacts within the site and on adjoining land	Flooding impacts addressed in the assessment report. Modelling of flood behaviour post development has demonstrated there will be no change to the extent of flood waters but there will be a minor change to levels. To further reduce any potential impact the proposed eastern fill pad within Stage 1 is not supported and the Concept Plan will be required to be modified accordingly.
	Importance of the site for agriculture and food production	The site has been identified for urban development in the IRS and IUDP. This issue is addressed in detail in the assessment report.
	Proposes excessive amount s of retail floor space and undermine the retail hierarchy for the LGA and region	This issue is addressed in the assessment report
	Borrows water supply capacity from existing release areas	The provision and distribution of water and sewer is the responsibility of Sydney Water.
	Does not adequately address potential social impacts	Social impacts are addressed in the assessment report.
	Will not necessarily meet the specific housing needs of the region	The Concept Plan provides for additional housing supply to assist in addressing affordability, as well as providing for a range of housing types to meet the needs of a diverse population and household types.
	The proposed VPA outline has insufficient information and disadvantages Council.	This issue is addressed in the assessment report. SCC did not agree to enter into a VPA, which would provide funding or works in kind for roads, open space and community facilities.
	Will affect the drafting of the Shellharbour Comprehensive LEP 2010, including land uses that may not be compatible with the proposed LEP	The proposed SEPP amendment and Concept Plan will be independent of the Shellharbour LEP.

	The proposed Development Control Strategy (DCS) is inconsistent with Council's DCPs	The DCS provides a number of controls for residential development for the site and allows for flexibility to address changing demands and circumstances. More detail on matters such as street design and public art location would be addressed as future design stages.
	Should ensure highest densities and lower near the fringe and environmental zones.	The DCS envisages the highest densities generally in the Town and Village centres, and lowest densities in the Bushland Edge and Country Living precincts. This issue is addressed in the assessment report.
	Concerns about potential land use conflicts in the Town and Village Centres through uncoordinated development and lack of development control structure	Some strategies for the Centres are provided in the DCS. It is recommended that a more detailed design for the Town Centre be provided with the first application for development within this Centre.
	Impacts of the mixed uses zones adjoining the Illawarra Highway	The Department recommends only one area of mixed use land along the Highway, with the maximum height reduced from 18m to 9m to be more consistent with surrounding development.
	Concern about proposed public open space in low lying pastoral or riparian areas which are flood prone.	The playing fields are located in flood prone land but are proposed to be well drained. Other areas for public open space will be considered as part of each the subdivision stage.
	18m height for the Village Centre land adjoining the Highway not appropriate, and height of development on the fill pods	The 18m height maximum considered is acceptable for the Village Centre given the similar height in the Tullimbar Tavern and other centres in the region. It is unlikely this height will be achieved for all buildings.
	Does not support small lot for some isolated Parkland Nodes.	The Department supports smaller lot sizes adjoining parks or the Town and Village Centres, and this is addressed in recommended modifications to the Development Control Strategy in the Concept Plan.
	Visual impact on the rural scenic amenity of the western portion of the LGA	The site has been identified for urban development in the IRS and IUDP. The visual impacts have been addressed in the assessment report.
	Land acquisitions	It is noted that Council has not agreed to the proposed land acquisitions. Changes to the SEPP and Concept Plan have been recommended to address this issue.
	Considers the impact of the proposal on flora and fauna is inadequate including riparian species. Need to ensure the further surveys for species is included in the Statement of Commitments	Management plans are recommended to be prepared for riparian corridors. Additional surveys are also to be undertaken. This has been addressed in the assessment report.

	Will place additional pressure on Council's waste facility	It is acknowledged that additional population will result in additional waste, as will be the case for all new development in the LGA. The development will also result in additional rates which would assist in funding additional waste facilities.
	The site contains a number of Aboriginal cultural archaeological sites, however further assessment would be required, and educational significance for the local Aboriginal community	Noted. This issue is addressed in the assessment report
	Curtilage planned for the cemetery	Curtilage is proposed around the cemetery, to be managed as either public open space or on private land.
	There are other sites identified as heritage items	Council did not make these other potential items publicly available for the proponent to comment. The heritage report provided, and items proposed are considered to be satisfactory.
Wollongong City Council (WCC)	Is not consistent with the IRS	The site is identified for urban development in the IRS and IUDP. This is addressed in detail in the assessment report.
	Sufficient land production from West Dapto and other release areas	Calderwood will provide additional land to assist in achieving housing production targets for the region, will may also assist in increasing housing affordability
	Impact on infrastructure provision in West Dapto, including impacts on take up rates, and inefficient delivery of water and sewer infrastructure	No evidence the proposal will affect infrastructure provision in West Dapto. WCC adopted the two-front approach recommended by the GCC. WCC has also been provided with a \$26million grant for roads infrastructure. Contributions will be required for State and local infrastructure and services.
	Traffic impacts on the local road network, including the F6 extension and Marshall Mount and Yallah roads	Traffic impacts and provision for road upgrades considered in Section 5.6 of the assessment report. Due to the constraints identified in the existing road network, it is recommended that staging of the development is managed to reduce the impact on the State and local road network.
	Retail floor area proposed of 48,000m ² is inconsistent with the retail and business centre hierarchy strategy of WCC, should be restricted to 20,000m ² . Town centre should have a total retail and commercial floor space of 20,000m ²	The Department has recommended changes to the retail floor space cap in the Town centre. This issue is considered in the assessment report.
	Inadequate mapping of Illawarra Lowlands Grassy woodland EEC, especially for the endangered flor species Pterostylis gibbosa.	The information in the EA and PPR is considered acceptable, including the Statement of Commitment for additional survey work, as well as recommended further assessment requirements.
	Lands targeted for rehabilitation gradually increase native	The proposal targets the highest quality vegetation and remnant

	vegetation cover and integrity of the habitat as a corridor	vegetation for habitat protection and flora and fauna corridors. This is addressed in the assessment report.
	Ridgeline and slopes near Marshall Mount Road should be retained as a green below to provide visual separation	Most of the vegetation on these areas has been cleared. It is considered a better outcome for the two core riparian corridors to be ecological corridors, as it will also benefit water quality and aquatic life.
	Need to ensure high visual significance of the Illawarra Escarpment is protected. Development on land above RL 50 is considered inappropriate	Much of Johnson's Spur will be zoned E2 and E3 to limit urban development. It is recommended that development above RL 50 be in natural tones to reduce the visual impact.
	Proposed location of the 132kV electricity transmission line along Marshall Mount Road	Location of electricity transmissions lines will be the responsibility of the electricity providers. The proposed Yallah/Marshall Mount development will also need electricity transmission lines to services that site.
Kiama Municipal Council	Impact of supplying infrastructure across a number of development fronts	No evidence the proposal will affect infrastructure provision in West Dapto. WCC adopted the two-front approach. Contributions will be required to fund State and local infrastructure and services.
	Sufficient land already release at other sites.	Calderwood will provide additional land to assist in achieving housing production targets for the region, will may also assist in increasing housing affordability
	Impact on biodiversity including corridors	This issue is discussed in the assessment report.
RTA	RTA's response 15.6.10 Required modal shift of min 15-20% towards public transport is not achievable.	The Department acknowledges that the 10% shift in mode share is a future target and supports the strategies to achieve it. To ensure the traffic gave a realistic assessment the Department required the proponent to use the current mode share target.
	Seeks DoP clarification on whether Illawarra Regional Strategy (IRS) supports proposal	The site has been identified for urban development in the IRS and IUDP. This issue is addressed in detail in the assessment report.
	Cannot support scale of proposed land release.	
	Will impact on timing of proposed infrastructure upgrades, costing \$700m.	Traffic impacts and provision for road upgrades considered in Section 5.6 of the assessment report. Due to the constraints identified in the existing road network, it is recommended that staging of the development is managed to reduce the impact on the State and local road network.

	RTA's response 16.7.10 Concern that the analysis of impacts from stage one underestimates impacts. RTA study had higher PM peak volume which may impact on the operation of the intersections	To be addressed as part of Stage 1 project application.
	No objection to two roundabouts (Illawarra Hwy & Yellow Brick Rd and Broughton Ave), subject to RTA's conditions.	Proposed intersection works are to be undertaken in accordance with RTA standards.
	Not supportive of development of Northern Calderwood until local road network is upgraded.	Stage one of Calderwood will progress from the South. It is recommended that staging of the development is managed to reduce the impact on the State and local road network.
	RTA's response 8.9.10 Costings/Apportionment/Contributions: Road costings estimates are too low.	An assessment of proposed contributions is given in Section 5.7 of the assessment report.
	Costs of 2 roundabouts are 100% attributable to developer and should not be included in Special Infrastructure Contributions.	It is recommended that the costs of the connection to the intersection onto Calderwood Road required for Stage1 be 100% apportioned to the proponent. Other intersections are required as part of the Albion Park Bypass and therefore apportionment to be consistent with council's s94 plan for this piece of infrastructure.
	VPA transport contributions are inadequate.	VPA for regional infrastructure contributions is currently being negotiated.
	Notwithstanding the above, RTA does not object to proposal subject to conditions.	Noted.
Department of Environment, Climate Change and Water (DECCW)	Suggests DoP seek peer review of flooding assessment and seek Councils' comments	A review of Flood Study was undertaken by SKM.
	Significant flood risks on site. Flood study inadequate. Flood Risk Management Assessment required by DGRs, but not provided. The submitted Floodplain Risk Management Study does not have same status and DECCW questions its technical veracity.	SKM found the assessment of flood risk had been undertaken in accordance with the NSW Government's Flood Prone Land Policy as set out in the Floodplain Development Manual 2005. The impact of flooding on site and adjoining properties is addressed in the assessment report.
	Flood risk management issues and strategy should be resolved prior to any approval.	SKM recommended that further assessment of flooding impact will be required as part of the detailed design of each stage of

		the development. A future assessment requirement is recommended requiring a flood impact statement be prepared and included with each future project application.
	Recommends more restrictive zoning to protect biodiversity and ecological values. eg more restrictive range of permitted uses in zones E2 and E3Zone. SP2 zone – inadequate protection of riparian zones.	The zones were revised during the assessment of the application. Most significant habitat to be zoned E2, including riparian zones, with lesser significant lands zoned E3. This issue is discussed in the assessment report.
	Concerns about how threatened species have been addressed.	This issue is addressed in the assessment report. The threatened species assessment is considered to be satisfactory.
	Concept Plan/EA concept plan does not address DGRs re endangered populations, habitats and compensatory measures. No targeted surveys of threatened fauna or flora. DECCW unable to assess impacts as all assessment deferred to Concept Plan EA.	The most significant habitat will be zoned to minimised impacts. This issue is discussed in the assessment report.
	Local Aboriginal Community to be consulted throughout life of development.	Noted. The condition recommended by DECCW has been recommended to be included in the approval.
NSW Office of Water	Protection & Enhancement of Watercourses and Riparian Land Concerns re proposed floodplain reshaping and removal of riparian vegetation. Not supportive of hard engineering solutions to stabilise watercourses	Flood plain reshaping is assessed in Section 5.5 of the assessment report. It is recommended the Concept Plan be amended to remove some of the proposed filling in the Stage 1 area and that further modelling be undertaken to assess the resulting change in the PMF and 1:100 flood event.
	Concerns re location of pedestrian/cycle pathways, Water cycle management proposals, APZs within riparian land	No APZs within riparian corridors. Location of pathways will be subject to further assessment in detailed subdivision stages. Water cycle management works are to improve the quality of the water.
	Inadequate proposals for Flood Mitigation	SKM found the assessment of flood risk had been undertaken in accordance with the NSW Government's Flood Prone Land Policy as set out in the Floodplain Development Manual 2005. The impact of flooding on site and adjoining properties is addressed in the assessment report.
	Concerns about rehabilitation of riparian zones. DWE guideline is not accurately applied to site	Management Plans are recommended to be required for the riparian corridors to improve outcomes

	Concerns about details required for funding of long term maintenance and management of watercourses and riparian areas once handed to Councils	No agreement to date for handover to Council. Managed arrangements will be required should the lands stay in private ownership.
	Prefer less uses to be permitted in the E2 zone.	The uses to be permitted in the zone reflect management options and the ISEPP. Further assessment of impact would be considered for future applications for these sites.
	Prefer less uses be permitted in the SP2 zone.	The SP2 zone is not longer proposed for the SEPP.
Southern Rivers Catchment Management Authority	Suggests the assessment reflect the Environmental Outcomes Assessment Methodology in the Native Vegetation Act (acknowledging the NVA does not apply to Part 3A projects).	The assessment was required to address the DGRs, which were prepared in consultation with agencies including DECCW and the Southern Rivers CMA. The impacts of the proposal on biodiversity is addressed in the assessment report.
	Concerns about outcomes for biodiversity by clearing over cleared vegetation	Most of the moderately disturbed or high disturbance/ regenerating native vegetation will be retained. Most vegetation to be removed is isolated trees with little understorey with low habitat potential. This is addressed in the assessment report.
	Appears the proposal will directly impact the Illawarra Lowlands Grassy woodland	Most of the moderately disturbed or high disturbance/ regenerating native vegetation in this community will be retained and be within the E2 or E3 zones. Most vegetation to be removed is isolated trees with little understorey with low habitat potential. This is addressed in the assessment report.
	Offsets should be provided to compensate for the loss of vegetation and habitat	Offsets are not considered necessary for this proposal as a result of the proposed zoning, management plans and ESL map.
	Impacts on Johnson's Spur and Yallah/Marshall Mount corridor, serving a critical link from escarpment to the sea.	The most significant vegetation is to be retained, and along with the management of the primary and secondary riparian corridors, it is considered the ecological links through the site will be satisfactory.
	Do not support the use of the SP2 zone for the riparian corridors.	The SP2 zone no longer to be used for the SEPP.
	Recommends the loss of agricultural land is minimised	The IRS and IUDP have identified the site for urban development. Part of the south-eastern part of the site will be zoned RU2 for rural uses due to the constraints of urban development. This issue is addressed in the assessment report.

Department of Education and Training	Under VPA, DETS developer to provide 50% of cost of works-in-kind towards land for education.	This is being addressed in the VPA with the State government. This issue is discussed in the assessment report.
	DET requires 2 primary schools, 1 secondary school, special needs unit and wants role in school site selection.	This is being addressed in the VPA with the State government. This issue is discussed in the assessment report.
Department of Industry and Investment	40% of the site classified as Class 2 and 3, which are limited in the Illawarra region and found in small pockets around rivers.	The site contains areas of Class 2 and 3 land, as do other sites identified for urban development including West Dapto. This issue is addressed in the assessment report.
	Needs to demonstrate the development is the most efficient and sustainable use of land by avoiding identified significant agricultural land. Considers the removal of current uses is significant	The IRS and IUDP have identified the site for urban development. This is likely to encourage land speculation and discourage investment in rural uses. This issue is addressed in the assessment report.
	The proposal presents risks to aquatic habitats and fisheries in Lake Illawarra, especially through sediment and nutrient run-off during construction and occupation stage.	The proposal seeks to increase the protection of aquatic habitats by changing the zoning of the riparian corridors from rural to environmental zones. Controlling run off is to be addressed at both the construction phase (through the Soil and Water Management Plan) and occupation (through the WSUD measures).
	The adoption of the WSUD measures will help ameliorate impacts provided they are fully implemented.	The Water Cycle Management Study and proposed Soil and Water Management Plan would form part of the approval and therefore would be required to be implemented.
	The proposed Soil and Water Management Plan is supported, however should include periodic, independent monitoring.	It is considered the management regimes proposed, including the Soil and Water Management Plan is satisfactory.
	Recommend conditions for a Soil and Water Management Plan to be developed in consultation with I&I NSW.	It is considered that the proposed Soil and Water Management Plan and Statement of Commitments addresses this issue. Future applications for the subdivision stages would also consider these issues in more detail.
	Road crossing should be designed to reduce construction of fish passage, and provide recommended conditions.	The Statement of Commitments (SoC No. 39 and 40) address this issue. Further assessment requirements have been recommended for the design of crossings to consider I&I's guidelines for fish passage.
	Area located within petroleum exploration licence. Access for exploration to be maintained.	The license covers significant areas of urban zoned land in the region including West Dapto, Shell Cove and Albion Park.

		Therefore the likelihood of future petroleum exploration has already been significantly compromised and the Department is of the opinion therefore that this should not be a reason to discontinue with the release of Calderwood for urban development.
Lake Illawarra Authority	Will cause adverse impacts on lake catchment during flooding	The development will result in improved protection of waterways through zoning and management strategies.
	Objects to development, as no clear long term controls to protect water quality and ecosystems of lake.	The proposal will increase the protection of the riparian corridors in the site due to increased protection from zoning and management plans. WSUD measures will be implemented which should assist in improving water quality.
Department of Transport NSW	Public transport provision should be included final Statement of Commitments or conditions of consent	Cannot collect for public transport in the VPA with stage government. Extension of bus services being proposed.
	Requests DoP to address issues raised by RTA and DoT's involvement in discussions, particularly in relation to WDRA	Noted. These issues are addressed in the report.
NSW Rural Fire Service	The requirements of the Planning for Bushfire Protection are to be considered throughout the development process. A number of matters to be considered were provided.	The matters to be considered for future development have been recommended to be included as further assessment requirements.
Housing NSW	Affordable housing initiatives (mix of housing type and tenure, adaptable) inadequately addressed in EA and Concept Plan Affordable housing contribution should be negotiated in VPA Affordable housing to be transferred to community housing provider to own and manage	Releasing more land for housing development is consistent with broader government policy and the State Plan to address housing affordability by increasing supply. Housing affordability is also assisted by providing a diverse range of residential options available on the market. The proposal is considered satisfactory in this regard.
	Assistance from the Centre for Affordable Housing offered.	Noted.