

**From:** [Andre Vernez](#)  
**To:** [Chris Eldred](#)  
**Subject:** RE: Vincentia Coastal Village - Project Modification 9 & Concept Plan Modification 17 - COMMENTS FROM SHOALHAVEN CITY COUNCIL ON REQUEST FOR ADVICE  
**Date:** Friday, 18 November 2022 4:20:05 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
**Importance:** High

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Dear Chris,

There are no specific 'planning' comments.

However, please find below additional technical comments from Shoalhaven City Council on the Request for Advice.

## **PROJECT MODIFICATION 9 & CONCEPT PLAN MODIFICATION 17**

### **Development Engineering Comments/Requirements:**

#### 1. Stormwater Drainage

The amended Water Cycle Management Strategy report is considered generally acceptable. Detention, retention and water quality measures are proposed which meet Council's requirements. However, there are issues associated with the applicant's proposed use of SPEL Stormsacks. They claim a nitrogen removal efficiency of 45% for total nitrogen (TN) which seems to have been adopted within the MUSIC model. Council requires that such devices which are primarily primary treatment devices assume a removal rate of 0% for TN. These devices due to their small mesh size tend to be prone to blockage and will generally be removed or bypassed by future contractors rather than maintained and put back into service. For these reasons, it is encouraged to remove the Stormsacks and rely solely on the bioretention devices for nutrient removal accompanied by a traditional GPT perhaps located upstream of the OSDs for primary treatment.

#### 2. Roads/Access

- There are a number of issues associated with the traffic and access assessment within the Traffic Report which are detailed as follows:

- A 14.5m long rigid bus should be used for the turning paths external roundabouts and the main thoroughfare within the subject site as required by Shoalhaven Development Control Plan 2014 (SDCP 2014) and encourage bus servicing for Stage 2. As discussed below, access for a semi-trailer may be considered required based off the bulky goods retail component.
- The traffic counts were undertaken during November 2020 and may be skewed due to the Covid-19 pandemic. The applicant should undertake further consultation with Council to justify these counts and compared against existing traffic figures.

#### 3. Parking

There are a number of issues associated with the parking assessment within the Traffic Report which are detailed as follows:

- Generally, the author of the report has assumed the lowest parking rate as described

within SDCP 2014 and then allowed for a discount rate on top of this.

- The parking provision for the childcare centre component has used the one (1) parking space per four (4) childcare spaces rate from SDCP 2014. Council only offers this rate on the provision of a suitable pick up/drop off area is designed to promote high turnover. This has not been provided.
- The parking provision for the medical centre component has used the one (1) space per 100sqm gross floor area (GFA) within the DCP. This rate is only to be used when it is the greater rate and should revert to four (4) spaces per doctor or health care professional. If this is not known at this stage, the applicant should consider similar developments and justify their reasoning. There is also no provision of an ambulance space shown on the plans which is required by the DCP.
- The author has used the specialised retail (bulky goods) rate of one (1) space per 50sqm GFA. However, there is no guarantee this will be used for specialised retail (so therefore the general retail rate should be used of one (1) space per 40sqm) and the plans also indicate a pet store/vet. Vets are to use the same rate as a medical centre (four (4) spaces per vet).
- The author has used the lower parking rates for the gym using the justification that the peak usage times do not align with the childcare centre (despite these times potentially overlapping) and the specialised retail or health services. There is no evidence provided for this.
- The applicant has also provided no justification over the discount applied to the shared use of the site.
- Council's DCP requires manoeuvrability for a semi-trailer on commercial development sites exceeding 500sqm GFA (per site). The author has not given sufficient justification of why only a heavy rigid vehicle was used, particularly for the specialised retail site.
- The applicant has not provided adequate information for bus servicing and facilities across the site. A bus stop between Stages 1 and 2 would likely be a more ideal and central location rather than the existing bus stop to the west of Stage 1. The applicant should also demonstrate bus manoeuvrability within the site for a 14.5m long rigid bus.

Other parking matters to be addressed:

- Additional footpaths are required within the carpark area particularly for the northern extent of the carpark which is located well away from the central footpath crossings.
- There are a number of one-way parking aisles which are generally not supported. These should be two-way unless to address safety risks.
- The existing staff car parking area is proposed to be enclosed by a chainmail fence. This has very poor amenity outcomes especially for the frontage to the development site.

#### **Environmental Assessment Comments/Requirements:**

4. It is noted that the Biodiversity Development Assessment Report (BDAR) is a streamlined assessment and that Appendix C of the Biodiversity Assessment Methodology (BAM) 2020 only requires targeted survey for entities at risk of Serious and Irreversible Impact (SAII). The BDAR does assume presence for two (2) species, Eastern Bristlebird and Giant Dragonfly, as both have been recorded in habitats adjacent to the proposed development, and that similar habitat is provided on the subject site.

Council notes that there is an Eastern Pygmy Possum *Cercartetus nanus* record within 35m of the proposed development. The record notes state the species was trapped or netted in *Banksia ericifolia* / *Hakea teretifolia* Heathland just south-east of Moona Creek Road. Plant Community Type (PCT) 978 - *Needlebush - banksia wet heath on sandstone plateaux of the Sydney Basin Bioregion* detailed in the BDAR is consistent with the habitat documented by the Eastern Pygmy Possum record adjacent to the proposed development.

Similarly, there are eight (8) records of Eastern Ground Parrot *Pezoporus wallicus wallicus* in the shrubland adjoining the proposed development site, with one (1) record located within the subject site.

Therefore, Council recommends that species polygons be prepared, and an offset obligation be calculated for the Eastern Pygmy Possum and Eastern Ground Parrot, as the Accredited Assessor has done for the Eastern Bristlebird and Giant Dragonfly.

Should you have any questions in relation to the above please give me a call.

Regards,



**Andre Vernez**  
Senior Development Planner

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**From:** Chris Eldred <Christopher.Eldred@planning.nsw.gov.au>  
**Sent:** Monday, 14 November 2022 9:03 AM  
**To:** Andre Vernez <Andre.Vernez@shoalhaven.nsw.gov.au>  
**Subject:** RE: Vincentia Coastal Village - Project Modification 9 & Concept Plan Modification 17 - COMMENTS FROM SHOALHAVEN CITY COUNCIL ON REQUEST FOR ADVICE

Hi Andre,

Thank you for sending these comments through.

Will there be any specific planning comments made by Council as I note that the below comments are from the Environmental Health and Water and Sewer teams.

Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

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*The Department of Planning and Environment acknowledges that it stands on Aboriginal land.  
We acknowledge the traditional custodians of the land and we show our respect for elders past, present  
and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing  
commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

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**From:** Andre Vernez <[Andre.Vernez@shoalhaven.nsw.gov.au](mailto:Andre.Vernez@shoalhaven.nsw.gov.au)>

**Sent:** Friday, 11 November 2022 5:55 PM

**To:** Chris Eldred <[Christopher.Eldred@planning.nsw.gov.au](mailto:Christopher.Eldred@planning.nsw.gov.au)>

**Subject:** Vincentia Coastal Village - Project Modification 9 & Concept Plan Modification 17 -  
COMMENTS FROM SHOALHAVEN CITY COUNCIL ON REQUEST FOR ADVICE

**Importance:** High

Dear Chris,

Please find below technical comments from Shoalhaven City Council on the Request for Advice in relation to Vincentia Coastal Village - Project Modification 9 and Concept Plan Modification 17.

## **PROJECT MODIFICATION 9 & CONCEPT PLAN MODIFICATION 17**

### **Environmental Health Comments/Requirements:**

1. Council has reviewed the submitted reports including the Preliminary Site Investigation and Targeted Soil Assessment.
2. Soil sampling was undertaken which showed that contaminants of concern (COC) were not present at a level that would require remediation to make the subject site suitable for the proposed use. The stockpiled materials located at the site indicated no contamination and that classification of the soils under the NSW EPA Excavated Natural Material Order (2014) could be utilised as fill material at the site. A report outlining compliance with the Order will need to be prepared and submitted to Council.

Unexpected finds protocol should also be implemented at the site.

3. Water Quality monitoring should be undertaken, with the retention basin and natural waterway an extension to the water sampling that was undertaken by Fabcot Pty Ltd for the Vincentia Shopping Centre development. This should be part of the suggested Construction Environmental Management Plan (CEMP). This is recommended in light of the proximity to Moona Moona Creek and recreational use downstream of the proposed development.
4. The Noise Impact Assessment has also been reviewed. There are a number of management solutions for noise which can pose an issue (e.g. reducing number of children playing outdoors).

### **Shoalhaven Water Comments/Requirements:**

5. Due to the re-orientation of the proposed building, it appears it may not drain via gravity to Council's sewerage system. An alternate system may be required.

6. The previous Development Application Notice for MP06\_0025 Mod 6 will need to be re-written.
7. Section 64 fees still apply.
8. Water service can be provided from Moona Moona Creek Road. Meter sizing and water calculations will be required (for new or upgrade to existing).
9. A Trade Waste application will be required.
10. The following conditions of consent are recommended.

#### **Shoalhaven Water - Certificate of Compliance**

A Certificate of Compliance must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Notice of Requirements and prior to the issue of an Occupation Certificate, Subdivision Certificate or Caravan Park Approval, as the case may be.

An application for a Certificate of Compliance is to be made once the Development Consent has been granted.

#### **Shoalhaven Water – Prior to the Issue of a Construction Certificate**

Prior to the issue of a Construction Certificate, all conditions listed on the Shoalhaven Water Notice of Requirements under the heading “Prior to the Issue of a Construction Certificate” must be complied with and accepted by Shoalhaven Water. Written notification must be issued by Shoalhaven Water and provided to the Certifier.

#### **Shoalhaven Water – Certificate of Compliance**

Prior to the issue of any Occupation Certificate, a Certificate of Compliance under section 307 of the *Water Management Act 2000* must be obtained from Shoalhaven Water to verify satisfactory compliance with all conditions for the supply of water and sewerage, as listed on the Notice of Requirements.

If the development is to be completed in approved stages, or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.

#### **Development Engineering Comments/Requirements:**

11. Any development engineering comments/requirements will be provided under separate cover as soon as possible.

Should you have any questions in relation to the above please give me a call.

Regards,

**Andre Vernez**  
Senior Development Planner

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