

APA's Response to DoP SUMMARY OF PUBLIC SUBMISSIONS

RESIDENTIAL SUBDIVISION
AT LOT 171 DP 1081810 HIGHVIEW DRIVE, DOLPHIN POINT

<u>Issues</u>	<u>No. of Submissions</u>	<u>Summary</u>	<u>APA Response</u>
1. Traffic	9	Object to the proposed access through Bonnie Troon Close (BTC) due to potential traffic impacts: including capacity & size of the road to handle additional traffic, and whether the proposed road is of a sufficient width to handle parked cars & passing traffic.	<p>The extension of Bonnie Troon Close will be constructed from a raised concrete threshold with layback kerb at both ends and will represent a very slow speed environment. The necessity for cars to enter the road via a driveway style approach will discourage vehicles from taking this route as vehicles will use the more direct route via the main access roundabout on Dolphin Point Road and Road 1.</p> <p>The existing pavement on Bonnie Troon Close is approximately 7m wide which is defined as a "Local Street" under Shoalhaven City Council's DCP100 and is therefore capable of servicing up to 200 properties. As the primary source of traffic using Bonnie Troon Close will be the housing located along this Bonnie Troon Close, the existing road has sufficient width to cater for the anticipated traffic flows.</p>
	1	Raised potential of making 'road 8' a reverse cul-de-sac to BTC or adding other traffic calming measures to alleviate traffic impacts.	Shoalhaven City Council's Planning Policy #1 (SPP1) anticipated an extension of Bonnie Troon Close. SPP1 was publicly exhibited and adopted by Council on 23 November 2004.
	2	Concern that BTC was always intended to be a cul-de-sac and not be a through road.	As stated earlier, it is proposed to construct a raised concrete threshold with layback kerb at both ends to discourage through traffic from using this road. See comments above.
	1	Concern on the cumulative traffic impacts on BTC from adjoining development proposal.	See comments above.

			Proposed BTC should be widened to 9m (to be similar width to Highview Drive).	See comments above.
	1		Proposed BTC should be used for emergency access only.	See comments above.
	4		Concern with additional noise impacts as a result of additional traffic.	See comments above.
	4		Access through BTC is not required as there are sufficient entrance/exit roads without using BTC.	See comments above.
	4		Proposed that BTC be used for pedestrian access only into the proposed subdivision.	See comments above.
	1		Link Road and Dolphin Point Road should be upgraded as a result of the development.	CBHK has inspected and analysed both Dolphin Point Road and Link Road and has concluded that no upgrading works are required. Their analysis and conclusions are contained within their initial report lodged with the EA.
	2		Concern that the proposal will result in increased traffic in BTC (increase from 20 vehicles per day to expected 20 vehicles per hour).	In addition, Council has recently adopted a Section 94 Contributions Plan for roadworks within the Dolphin Point Growth area which included the link road and associated roundabouts in the Dairy estate. BTC currently services 12 properties. Using conventional traffic generating figures found in DCP-100, the existing traffic load would be 120 vehicles per day (i.e. 10 vehicle movements per day per dwelling). It is expected that 3 additional properties may utilise BTC as their main access point, increasing the traffic volume to 150 vehicles per day. As stated previously, a 7m wide pavement is capable of handling up to 2000 vehicle movements per day (i.e. 200 dwellings). Therefore the capacity of BTC is sufficient to handle the anticipated volume of traffic.
	1		Concern that existing roundabout on Princes Highway will be unable to accommodate traffic in peak holiday times as a result of development.	CBHK report and additional comments concludes that the roundabout has significantly higher capacity than will be generated by the proposed Dolphin Point subdivisions.
	1		Concern raised with the design of the roundabout to be built at the end of a collector road and the potential impact on adjoining residents as a result of	The proposed roundabout has been located at the main access point which was identified in SPP1. As stated previously, SPP1 was publicly exhibited and adopted by Council in 2004.

		increasing headlight glare and loss of privacy and amenity.	There may be a small increase in headlight glare to a few properties in close proximity to the proposed roundabout as additional vehicles enter/exit the subdivision. The development of the site is less than the anticipated lot yields published by the Department of Planning for new release areas (12-15 lots/hectare). The current proposal contains <10lots/hectare. The proposal also contains significantly higher open space than SPP1 required. For 137 dwellings, SPP5 required 2,685 m2 of open space. Approximately 19,840m2 is being dedicated (ie approximately 5 times the required amount). The proposal complies with the planning controls for the site.
2. Over-development	1	Proposal is an overdevelopment of the site. South-west portion of the site should be preserved.	The development of this site has been anticipated since 1972 when it was zoned for village purposes for residential use. In recent years, a large section of the 1972 zoned land south of the site was down-zoned and was transferred to Barnunj State Conservation Area. Hence, significantly less development is occurring in Dolphin Point now than was expected in the past. Extensive environmental studies have been carried out in relation to all the listed species. Extensive consultation has also been held with DECC and DoP. The Proposal has taken account of the ecological impacts on the site and the proposal has been assessed as not having a "significant impact" on relevant threatened species.
3. Impact on Flora and Fauna and Biodiversity Values	1	Object to clearing of land when sufficient land is available on adjoining Dairy Development.	There is no statutory nor ecological basis for retention of the site due to the preservation of native vegetation as it is zoned as residential. Approximately 12.5% of the site is being maintained as native vegetation, which is significantly higher than the expected open space as per SPP1.
	5	Concern at loss of habitat for threatened species (leafless tongue orchid, glossy black cockatoo, eastern freetail bat, white-footed dunnart) as well as native flora and fauna.	The existing lots facing Highview Drive are located near the south-eastern corner of the development. The proposed lots backing onto these existing lots are 43m long and it is likely that a dwelling would be constructed closer to the front boundary thereby leaving sufficient room for any existing trees to remain at the rear of the boundary to remain provided there are no safety or
	3	Objection to the proposal due to the removal of native vegetation.	
	1	Recommend retention of some trees between blocks facing Highview Drive and development and provision of cycleway.	

			<p>bushfire issues. Aerial photography shows that there are very few trees near the rear boundary of existing allotments, as localised clearing has occurred at some time in the past along these boundaries.</p> <p>The land has been zoned for development since 1972, has been rezoned to 2(c) Residential in more recent times and the proposed development complies with the objectives of the zone.</p> <p>As part of the development proposal a vegetated link will be retained in the south western corner of the site between Barnunj State Conservation Area and Burrill Lake.</p> <p>The extensive ecological studies carried out on the site have shown that the development will have no "significant impact" on the threatened species identified. There is no statutory requirement to offset loss of habitat.</p> <p>There was no proposed layout provided to DECC on 13 June 2006. The plan provided on 13 June 2006 showed the results of flora and fauna surveys which had been carried out to that time.</p> <p>Since that time, extensive ecological studies have been undertaken which have concluded that the proposed development has no significant impact on the biodiversity of the local area.</p> <p>The proposed development is located on land which constitutes infill development for the village and is located on land that has been slated for residential development for over 30 years and zoned as such. The development is located adjacent to existing housing in Dolphin Point and close to existing infrastructure including Ulladulla, which is where the South Coast Regional Strategy encourages growth.</p>
1	<p>The land should be retained as is and managed by National Park to assist in the long term viability of the areas plan and animal populations.</p> <p>Objection to the proposal as the subject site currently acts as a wildlife corridor between the Barnunj SCA and a wetland area connected to Burrill Lake.</p>		
2	<p>Flora and fauna assessment report identified a number of threatened species but proposes little remedy or offsets to protect, preserve and enhance the habitat.</p>		
4	<p>Support is given to the letter from the Department of Environment and Climate Change to BES Consultants (dated 6 September 2006) in which DECC raised concern at the final subdivision plan and concludes that the proposal provides a poorer conservation outcome than the draft subdivision plan tabled on 13 June 2006). Justification is required on why this earlier layout is no longer suitable and why the issues/guidance raised by DECC have been ignored.</p>		
4. Socio Economic	<p>1</p> <p>Concern the additional population will impact on the 'village' atmosphere of the existing settlement.</p>		

<p>5. Community Facilities (including open space, pedestrian access and cycleways)</p>	1	<p>Proposal will result in the devaluation of existing property prices in Bonnie Troon Close due to proposed through road.</p>	<p>As stated previously, the effect of traffic on Bonnie Troon Close from the proposed development will be negligible.</p>
	1	<p>Additional housing is not required in the Burrill Lake/Dolphin Point area.</p>	<p>The South Coast Regional Strategy requires 26,700 new homes to be constructed in the Shoalhaven over the next 25 years, many in existing zoned lands. This area of Dolphin Point has been set aside by Council and State Government for residential development for the last 36 years (since 1972).</p>
	1	<p>Raised concern with the economic viability of the proposal considering that Stage 1 of the "Dairy Farm" proposal (71 lots) has received very poor market support with few sales.</p>	<p>The economic viability of any development is a risk taken by the developer. The property market is well known to show peaks and troughs in sales rates and prices.</p>
	1	<p>The proposal has insufficient open space, footpaths and cycleways.</p>	<p>This statement is refuted. The amount of open space, footpath and cycleways provided complies with Council requirements. There is an abundance of open space, footpaths and cycleways throughout the development.</p> <p>Council's Section 94 plan identifies a total of 4,510m² of open space that will be acquired by Council under project 05OREC0017. The proposed development proposes close to 20,000m² of open space (four times Council's requirement.)</p> <p>There also is adequate provision of footpaths and cycleways throughout the development.</p>
	1	<p>Proponent should incorporate the provision of pedestrian access and cycleways along Dolphin Point Road.</p>	<p>Council's recent revision to the s94 plan for the Dolphin Point area levied additional funds for roadworks to cater for the anticipated increase in traffic from the new developments. The existing s94 plan provisions cater for such things as footpaths and cyclepaths and these will be levied on the development</p>
	1	<p>Concern at the current lack of footpaths along Dolphin Point Road and along the new Link Road. Current dangers for pedestrians and cyclists are constructed</p>	<p>See comments above.</p>

		before preliminary construction work starts.	
	1	Proposal is lacking sufficient passive open space within the subdivision and no apparent playgrounds for children.	The proposal has included a small central local park in the development area which will contain a children's playground. Council's Section 94 plan will levy around \$100,000 to embellish open space areas that they will acquire through the s94 process.
6. Design	1	Concern with the future built form on the site and its appropriateness for the area.	The proposed Design Guidelines will require coastal style homes to be constructed in accordance with Council's existing policies.
	1	Concern that one site is nominated for medium density which seems out of character with the current Dolphin Point village.	The existing zoning adopted by Council and State Government is a flexible residential zone that allows medium density. The proponent has been advised by DoP to provide the medium density sites.
7. Aboriginal Heritage	2	Objection to Ulladulla Aboriginal Land Council selling 'sacred' land of Aboriginal significance.	The Archaeological Report undertaken by South East Archaeology in consultation with the Local Aboriginal Land and Council determined that there was no evidence of Aboriginal heritage on the site that would preclude development. A number of management measures were recommended by the report which are included in the Statement of Commitments.
8. Infrastructure	1	Additional population as a result of the development will require the upgrade of water, electricity, road, communication infrastructure and emergency services.	Additional infrastructure will be provided in accordance with the requirements of utility providers, and local and Stage Government requirements.

Nature Conservation Council letter dated 22/11/07

<u>Issues</u>	<u>No. of Submissions</u>	<u>Summary</u>	<u>APA Response</u>
1. Flora and Fauna Impacts	1	Due to the enormous impacts on native flora and fauna the development should not be approved). Inadequate mitigation strategies.	See comments relating to DECC advice and those from Whelans Insites previously supplied and attached.
2. Transport	1	There appears to be no transport plan for the site, which will induce significant	The layout of the site has been designed to allow public transport operators to utilise the site. There is also a significant network of footpaths and

		<p>motor vehicle use as it is on the periphery of Ulladulla. There is no clear proposed of bicycle or pedestrian routes to the beach.</p>	<p>cycleways throughout the site connecting to surrounding public areas.</p>
1		<p>No evidence of cyclist facilities in the proposal. Poor public transport options therefore sustainable transport must be actively encouraged.</p>	<p>The original proposal had a significant network of cycleways that was very obvious on the plan. The preferred project also contains a significant network of cycleways.</p>
3. Water Management	1	<p>No obligation regarding household water use, presuming that BASIX will enforce the uptake of rainwater tanks. BASIX can be applied in a 'flexible' manner and exclude rainwater harvesting. Fundamental flaw in the modelling undertaken in the Water Cycle Management Report prepared for the application.</p>	<p>The minimum water tank size of 5kL will be stipulated on the 88B Instrument and within the Design Guidelines.</p>
		<p>The project is lacking sufficient measures that incorporate water sensitive urban design. WSUD could be expanded so that drainage swales are used before the bio-retention ponds.</p>	<p>The WSUD measures proposed provide suitable treatment of stormwater runoff in accordance with accepted practice.</p>