

Council Reference: D25/332538
Contact Person: Justin Lamerton

5 August 2025

Industry Assessments
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attention: Paula Bizimis

SSD-88105458
Shoalhaven City Council Response to Request for Comments – SEARs

I refer to the Department of Planning, Housing, and Infrastructure's request for comment in relation to a request for SEARs regarding the 'St Georges Basin Residential Flat Building' development located at Anson Street St Georges Basin (Lots 1 & 6 DP 1082382).

Shoalhaven City Council (SCC) is grateful for the opportunity to provide input into the proposal and provides the attached comments which can be viewed at Attachment 1 to this Letter.

Council provides this response within its regulatory capacity and is in response to the lodged documents.

If you need further information about this matter, please contact me on 4429 3111.

Yours faithfully

Justin Lamerton
City Development
Shoalhaven City Council

Development Engineering Comments / Requirements:

Not completed at the time of issue of these comments. Development Engineering comments would be provided under separate cover as soon as they become available.

Strategic Transport Planning Comments / Requirements:

Thank you for the opportunity to comment on the State Significant Development Application (TRIM Ref No. 78998E) in relation to Property - Anson Street St Georges Basin - Lots 1 & 6 DP 1082382. There appears to be a lack of supporting information at this point (including no Traffic Impact Assessment (TIA), and no indication of what scale/design of development is proposed on all of the residual Lots).

Notwithstanding, based on limited information provided, the following are some initial comments for your consideration.

Appreciation of the Proposal

With reference to original DA16/1830 (approved – 58 apartments), successive sub-division applications (the residual allotments), the RA17/1000 application (refused – but which proposed 380 additional apartments across the residual allotments, making total 438 apartments on the subject land);

- It would appear that the current proposal (in addition to DA16/1830) – for 90 apartments on Lots 2,3,8 & 9 (approximately 30 apartments in each of those proposed buildings) appears to constitute a significant stage of what was originally proposed (under RA17/1000); however
- There is no updated plans to indicate what scale/design of development is now proposed on all of the residual Lots (1,4,5,,7,10,11,12 & 13)

Need for a full Traffic Impact Assessment (TIA)

- A full traffic impact study will be required to ensure a thorough appraisal of the likely traffic & transport impacts of the proposal in terms of traffic, parking, public and active transport (including assessment of likely pedestrian/cycling impacts), speed management in the precinct, consolidation of access, and the study should make recommendation of appropriate measures to address any adverse impacts (including consideration of development staging and associated staged mitigation works).
- Traditional traffic impact assessment guidelines have always identified that when a development proposal is an individual stage of a larger masterplan, that the TIA needs to address both the individual stage, as well as the broader masterplan. This is to ensure that any staged conditions are complimentary to longer term works that will be required to mitigate future development (in this case – future development of the residual Lots).
- In that context, original TfNSW guidelines specifically cited 10% (that is, when an individual stage of development exceeds 10%, that the TIA needs to address the full development)
- TfNSW's Current "Guide to Transport Impact Assessment" identifies (under section 6.4 "Mitigating Development Impacts", that; *The TIA should, to the extent possible, mitigate impacts identified at the end state of any multi-staged development. Note mitigation measures may also need to be staged in accordance with the impacts identified at each stage so it is imperative that the TIA presents a clear statement of the impacts at each development stage.*
- That said – in relation to the current proposal, the TIA will need to provide both a realistic appraisal of the current development proposal impacts (ie the cumulative traffic and transport impacts of the approved DA16/1830-58 apartments plus the current proposed 90 apartments on Lots 2,3,8 & 9) and in addition, a separate realistic appraisal of the developments future full impacts (ie the cumulative traffic and transport impacts of DA16/1830 + the current proposal + the current envisaged development on all of the residual Lots 1, 4,5,6,7,10,11,12 & 13), with appropriate mitigation measures identified for both the current proposal, plus future end state.

State Environmental Planning Policy (Transport and Infrastructure) 2021

- With reference to Schedule 3 (traffic generating developments to be referred to TfNSW-Chapter 2);
- Residential accommodation – 300 or more dwellings
- Car parks (whether or not ancillary to other development) – 200 or more Car Parking Spaces
- It is observed that the current proposal (58 + 90 apartments) will exceed the “car parking threshold” of Schedule 3
- Notwithstanding - it is observed that the end state (full impacts of the broader development – not stated, but estimated to be somewhere in the order of 400-500 dwellings at full development of all residual Lots) will exceed both the “residual dwelling” thresholds plus the “car parking threshold” of Schedule 3
- Consequently, this is a further reason why the TIA needs to provide a realistic appraisal of both the current development, plus the end state (ultimate) development of all residual Lots (with in mind that the proposal should be referred to TfNSW , complete with a TIA for consideration, pursuant to State Environmental Planning Policy (Transport and Infrastructure) 2021

Matters to be considered as part of the TIA

TIA to be undertaken in accordance with latest TfNSW guidelines

- The TIA is to be undertaken in accordance with latest TfNSW guidelines, in all respects, including addressing both the cumulative impacts of DA16/1830 + the current proposal (+90 apartments) + the cumulative impacts of RA16/1830 + the current proposal + the likely end state development (addressing the envisaged likely development of all of the Residual Lots)
- The TIA is to address all traffic and transport elements pursuant to current TfNSW guidelines, including traffic, transport, parking, pedestrian and cyclists safety, and including addressing known speeding patterns in the area

Need to Extend the current LATM scheme to address the frontage of the development

- To the east of the subject development, there is approximately 164 dwellings along an approximate 2km stretch of Anson Street (of which this length of Anson Street has 9 LATM treatments already in place to manage speeding along Anson Street).
- However, other than the raised speed threshold/speed table (approx. near the boundary of Lots 6/7), no other LATM devices were installed in the subject area, primarily because there was no development/residents to protect in the subject area (ie the LATM devices were largely concentrated where they would have maximum effect to existing developments/residents along Anson Street)
- Accordingly, as part of development of this section of Anson Street, an extension of the LATM scheme to the west will be necessary to protect future traffic and residents of the subject proposal. The roundabouts which were specified in the draft conditions of the refused RA17/1000 reflects the level of LATM treatment considered to be suitable for the development of the subject area, in addition to the proposed pedestrian crossing.
- It is noted that both proposed roundabouts and the proposed pedestrian crossing are all shown on the preliminary plans (albeit crudely), however given the now staged approach of the development, the roundabout at Anson Street/Crowea Road (in addition to the proposed pedestrian crossing) is likely to be required to mitigate this initial stage of development, where as it may be appropriate to defer the eastern most roundabout to a later stage of development.
- These matters to be considered as part of the TIA

Access amendments and external works featured in the draft consent conditions of refused RA17/1000 to be considered in the TIA

Pursuant to the need to provide a full TIA of both the current plus end state developments, it is appropriate to reflect on the external works specified in the draft consent conditions of the refused RA17/1000, to be considered in the TIA, as follows-

This included the following points to be addressed (Lot references have been amended to match the latest plans);

- On the northern side of Anson Street, the eastern side of the Village Access Road, and the western side of the “future road” (at the eastern side of the development) the existing 1.5m footpath network is to be extended along all frontages of the development.
- On the southern side of Anson Street, a 2m shared path network is to be provided;
 - along the full frontage of the development, generally
 - the 2m path is to be extended across the full frontage of Lot 25
 - the 2m path is to be extended to the west to Island Point Road (approximately 40m to the west of the western boundary of Lot 25)
 - the 2m path is to be extended to the east to join in to Council’s proposed 2m shared path (approximately 40m to the east of the eastern site boundary, ie approximately 40m to the east of the eastern boundary of Lot H) (now Lot 13)
- A pedestrian crossing is to be provided in accordance with standards in the middle of the existing kerb blisters (approximately 25m to the east of the Village access Road)
- A local road roundabout is to be provided at the intersection of Anson Street and the Village access Road to Council satisfaction
- A local road roundabout is to be provided at the intersection of Anson Street and the “future road” at the sites eastern boundary, to Council satisfaction
- The existing speed table located approximately 145m to the east of the Village Access Road is to be removed (upon completion of the eastern most roundabout) and the road pavement reinstated to match the adjoining Anson Street pavement, to Council satisfaction
- A combined driveway is required to be provided to service Lots C&D, to be relocated to the eastern boundary of Lot D (ie - as far away as possible from the roundabout and pedestrian crossing) – ie to mirror the approved access treatment provided to Lot 25 (for Buildings A & B), with the combined driveway along the eastern boundary of Lot D.
- Combined driveways are required for all other residual Lots to minimise the number of access points along Anson Street
- A combined driveway to Lots 4&5 should be provided along the eastern boundary of Lot 5
- A combined driveway to Lots 6&7 should be provided not to Anson Street, but to the “future road” along the eastern boundary of the site, with the development to include the development of the future road (from the northern boundary of Lot 7, to Anson Street, including provision of the roundabout at the intersection of Anson Street and the “future road”)
- A combined driveway to Lots 10&11 should be provided along the eastern boundary of Lot 11
- A combined driveway to Lots 12&13 should be provided along the eastern boundary of Lot 13 (aligned to access Anson Street from the roundabout at the intersection of Anson Street and the “future road”)

Other standard conditions will also be required addressing footpath and roadworks specifications, street lighting, the preparation of designs to Council satisfaction, referral of full geometric dimensioned concept designs (including full signs/lines plans) to Shoalhaven Traffic Committee prior to issue of CC, and these are recommended to be approved prior to proceed to detailed design of the road works.

Other matters to be addressed in the TIA

- Matters to address in the traffic impact study shall generally be in accordance with TfNSW guidelines, but this should also include (not exhaustive) the following matters;

- Ensure any traffic and pedestrian data collected in the surrounding network as a basis for the assessment is collected at an appropriate time of the year to avoid having to seasonally adjust the data. October/November (AADT equivalent) and February/March (120th HH equivalent) are typically considered the best times of the year to collect any data in the subject area to avoid large scale seasonal adjustment.
- A before/after assessment is expected at each stage of the TIA (including at least a 10 year projection)
- Review of public transport and potential solutions to accommodate/encourage increased PT utilisation
- Review of active transport and potential solutions to accommodate/encourage increased AT utilisation
- Review of parking impacts to ensure nil external impacts in accordance with Council's DCP
- Review of road widths (with in mind, Council's DCP)
- Review servicing arrangements, including swept paths
- Prior to undertaking the study, the proponent should discuss with Council to agree on assumptions/terms of the assessment
- The need to complete kerb and guttering within and around the perimeter of the site (primarily as part of the formation of the "future road" along the eastern boundary of the site
- When a TIA can be submitted for review that addresses all of the above issues in all respects, the associated updated SIDRA models and all raw data collected, all need to be provided with the TIA to ensure that all relevant details have been submitted for review.

Recommended Considerations in the preparation of SEARS

- With consideration of the above points, as part of the development of SEARS, the above points are to be addressed in all respects as part of the submission of a TIA before further consideration of the proposed development.
- A detailed Traffic Impact Assessment is to be prepared in accordance with latest TfNSW guidelines (this is to allow a detailed review of the proposal and its resultant traffic & transport impacts, in order to consider appropriate conditions). The preparation of the TIA, and subsequent amendment of Plans needs to address the above mentioned points in all respects.

Shoalhaven Water Comments / Requirements:

Water and Sewer infrastructure to be built, there is an approved staged subdivision for these lots under which sewer infrastructure for Lot 25 as shown on plans has already been constructed.

Water and sewer servicing plans will be required to confirm if upgrade of existing infrastructure will be required or not.

Section 64 contributions will apply.

Strategic & Development Planning Comments / Requirements:

The subject land has a long and relatively contentious planning history that is relevant to and warrants consideration as part of the proposed application.

DA16/1830 – Western part of the southern parcel: Two four storey residential apartment buildings comprising a total of 54 residential units (2 x 1 bedroom units, 19 x 2 bedroom units, and 33 x 3 bedroom units) and two levels of basement parking providing car parking for 100 vehicles. Approved by the Land & Environment Court Oct 2017

Planning Proposal: LEP Height Change – Through the Shoalhaven LEP 2014 process the building heights to 13 metres based on a submission from the proponents. Then via a Council initiated Planning Proposal the heights were subsequently to 8.5 metres following community concern. The PP process also involved a legal challenge from the landowner. The resulting amendment to the LEP was notified – Sept 2019.

RA17/1000 – Whole site: Concept DA for mixed use development comprising residential flat buildings and commercial development of 13 buildings up to 13m in height providing estimated 88 x 2 bedroom and 292 x 3 bedroom apartments, 2,000+ sq metres of commercial floor space and 783 car spaces. Refused by the Regional Planning Panel – May 2022.

Housing Delivery EOI 233460 - Concept plan sought for twelve residential flat buildings and one shop-top housing building, comprising a total of 315 dwelling units above a two-level basement car park. Eoi did not progress – March 2025

The above shows that the proponent has consistently attempted to maximise the development potential of the site, whilst not actually delivering anything at present. The proponents has an approval from 2017 that has not been built as yet, as such their capacity to deliver the suggested development outcome more broadly is raised.

In this regard it is noted that in the Eoi supported by the HAD in May 2025 reference is made to 81 dwellings – that has already increased to 90. Is it likely to keep changing or not?

It is noted that the proposal that is currently before us again proposes a 13 metre height limit. This is at odds with the specific LEP amendment (No.25) that concluded in 2019 and was informed and supported by detailed Feasibility Assessment and Character Assessment and Urban Design Review. As a result the subject land is currently mapped in the LEP as having a height of buildings of 8.5 metres. The assessments referred to remain relevant and warrant due consideration as part of this matter – they are available [on line](#) as part of the Planning Proposal that resulted in LEP Amendment No.25.

The earlier 13 metre height limit that applies to the site between 2014 and 2019 was not based on any detailed assessment or otherwise of the site or location. It resulted from a submission at the time of exhibition of the draft LEP 2014 from the proponent. As such any proposal to increase the height back to 13 metres warrants detailed strategic justification, which it is content does not exist.

The proposal and any associated amendment to the LEP need to fully consider the impact on the adjoining neighbourhood, its amenity and character. It is noted that development adjacent to this site is largely one and two storeys.

There are a range of detailed matters that warrant consider if this matter progresses, including:

- Servicing – water, sewerage, stormwater etc.
- Traffic and access.
- Social impact
- Given that the current proposal only applies to part of the landholding – what happens to remainder. What is the longer term outcome and cumulative impact?
- Affordable housing – the suggested 5% contribution to the supply of affordable housing, while welcome is still below the general 15% that seems to be generally accepted elsewhere. As such is requested that if the development proceeds it provide a minimum of 15% affordable housing.
- What certainty is there that if approved the proponent will actually proceed in a timely manner to implement any approval, noting the lack of any relative progress on the existing approval issued in 2017.

- Given the community interest in this site and its various guises it is considered essential that the community have the opportunity to provide early input into this matter, that will be appropriately considered should the matter progress.

Biodiversity / Avoid & Minimise Impacts

The site is mapped on the Biodiversity Values Map and is identified as containing a stand of *melaleuca biconvexa*. In this regard, the applicant should be required to submit a Biodiversity Development Assessment Report (BDAR) with any future DA.

Council requires that the applicant look at opportunities to avoid and minimise impacts to biodiversity as the preparation of a design for the future development. Given the large area of the property and the location of the stand within close proximity to the front property boundary, this presents opportunities for the development to be designed in such a way, that the development avoids impacts to this stand of vegetation.

Further, a Landscaping Plan submitted with the future Development Application should look to incorporate natural features including the *melaleuca biconvexa* as part of the design.

Bushfire

A Bushfire Impact Assessment is required to be submitted with any future DA, demonstrating compliance with the Planning for Bushfire Protection (PBP) 2019.

Preliminary Site Investigation

A Preliminary Site Investigation is recommended to be provided as part of the future DA to inform as to whether any contamination exists on the property. The PSI shall inform whether there is a need for a more thorough Detailed Site Investigation.

Compliance with Apartment Design Guide

The future DA must be designed strictly in accordance with the requirements of the Apartment Design Guide. A review of the preliminary plans submitted with the SEARs finds that further design consideration should be given to:

- Setbacks of the development to the adjoining manufactured home estate development to the south. The plans do not demonstrate tiering of setbacks equivalent to that consented to as part of the approved development on Lot 25.
- Further consideration must be given to solar access and overshadowing to adjoining development to the south. The development should not have an adverse impact to adjoining developments and should allow sufficient solar access consistent with the requirements of the Apartment Design Guide.
- Privacy – The privacy of the adjoining developments shall be further considered in the design – including any features such as use of reeded glass, privacy screens, etc, to minimise privacy impacts.
- Consideration of noise impacts associated with any public spaces and the requirement for an acoustic report.