

<b>This meeting is part of the determination process.</b>		
<b>Meeting note taken by:</b> Alana Jelfs	<b>Date:</b> 19 July 2018	<b>Time:</b> 8.00am
<b>Project:</b> West Culburra Concept Proposal (SSD 3486)		
<b>Meeting Place:</b> IPC Office		
<b>Attendees:</b>		
IPC Members: Mary O’Kane (Chair), Ross Carter, Ilona Millar		
IPC Secretariat: Alana Jelfs (Senior Planning Officer), David Koppers (Team Leader), Anna Summerhayes (Counsel assisting the IPC)		
The applicant: John Toon (John Toon Pty Ltd), Matt Philpott (Allen Price & Scaratts Pty Ltd), Robert Tong (Chair of the Halloran Trust), Lee Kenny (Trustee and Secretary of the Halloran Trust), James Harris (Allen Price & Scaratts Pty Ltd), Andrew Norris (Martens & Associates).		
<b>Meeting Purpose:</b>		
For the applicant to brief the Commission on the West Culburra Concept Proposal. The following matters were discussed:		
<ul style="list-style-type: none"> <li>• Dr Robert Tong, Chair of the Halloran Trust introduced the project, team and vision for the site;</li> <li>• John Toon (the applicant, on behalf of the Halloran Trust) described the site, which is on land owned by the Halloran Trust. The Trust owns a large amount of land around Culburra and throughout the Shoalhaven region;</li> <li>• Project overview – the applicant said that: <ul style="list-style-type: none"> <li>- Informal community consultation was undertaken;</li> <li>- The local economy is struggling, with a heavy reliance on the seasonal tourist industry. There are limited employment opportunities in the Culburra area, which supports an aging population;</li> <li>- The applicant considered the strengths and weaknesses of the site in its development of the Concept Proposal;</li> <li>- The area has a significant Aboriginal population. The applicant made contact with the Jerrinja, however they were not forthcoming;</li> <li>- Culburra is surrounded by waterways which are difficult to access, and all properties in the area extend to the high watermark. Currently there is no public access point to the Crookhaven River. Access to the water is limited and isolated;</li> <li>- There is no major attraction to the township of Culburra to draw people to the area;</li> <li>- The applicant discussed options with the Department of Planning and Environment (the Department) and West Culburra was identified;</li> <li>- The existing sewerage treatment plant (STP) acts as a barrier between the site and the township;</li> <li>- An internal collector road is proposed to form a loop road to Culburra Road;</li> <li>- Cycleway and walkway linkages are proposed along the collector road and foreshore to the Culburra township;</li> <li>- The proposal involves staged development over five stages, including residential development, community uses, industrial development, tourist/leisure hub designed to permit focused use of the waterfront, playground, cafés and walkways providing controlled access to the foreshore;</li> <li>- The site contains Aboriginal middens along the foreshore areas, at Cactus Point, which the applicant has committed to conserving and exhibiting as part of the proposal;</li> <li>- The applicant is committed to implementing something special in this area and has significant resources to do so;</li> <li>- A mixture of support and opposition in the community for the project;</li> </ul> </li> <li>• Configuration and proposed land use – the applicant said that: <ul style="list-style-type: none"> <li>- There is a shortage of housing stock options in the area. The original concept proposed a larger area of residential in stage 1 however the business zoning (under the Shoalhaven Local Environmental Plan 1985) prohibited this;</li> <li>- Stage 2 may be suitable for small lot subdivision, adjacent to an existing retirement village and potentially suitable for elderly residents wishing to downsize;</li> <li>- Stage 3 may also provide opportunity for retirement style homes;</li> <li>- Industrial area required to support the construction activities for the development and possible rental storage units;</li> <li>- Location of the oval is proposed given this part of the site is largely flat;</li> </ul> </li> </ul>		

- Eastern viewing platforms encroach on Crown Land however proposed walkways along the foreshore are not proposed on Crown Land;
- Assessment issues – the applicant said that:
  - A number of modifications were made to the proposal to address concerns raised by the Department;
  - The applicant disputes that the scale is inappropriate. The sites zoning supports what is proposed under the Concept Proposal;
  - Concerns were raised mainly in relation to water quality impacts and the assessments undertaken;
  - Site is suitable to accommodate 650 dwellings, which will proceed in stages;
  - It is difficult to estimate population projections. The land is available for development and it is the applicant's intention to develop and sell the land for housing purposes;
  - The Culburra STP is designed to cater for future growth of the township;
- Strategic planning – the applicant said that:
  - The South Coast Regional Strategy applies to the site however no reference is made by the Department regarding section 4 in relation to the proposal achieving a neutral or beneficial effect (NorBE);
  - The Illawarra Shoalhaven Regional Plan 2015 identifies West Culburra as an area for diverse housing and a growth area;
  - The Illawarra Shoalhaven Urban Development Program Update 216 identifies the Culburra Investigation Area. Part of the site is within the investigation area but is not currently zoned to support future residential growth. The applicant considers this a housing monitoring tool, not a strategic plan;
  - Shoalhaven Council's previous Contributions Plan identified that Culburra could accommodate over 800 dwellings in the future;
- Water quality – the applicant said that:
  - Its water quality consultant worked on the Concept Proposal for over 6 years;
  - The Department's view in relation to the water quality assessment is not supported by the applicant. The applicant claims their approach utilises best practice, has been peer reviewed and amended to address issues raised;
  - Their approach delivers the highest level of protection and meets the NorBE test;
  - Reuse rates have not been considered and the details of the treatment train were not previously raised as an issue by the Department's peer reviewers;
  - Long term water quality management plan prepared in consultation with the oyster industry;
  - The assessment undertaken meets full scientific certainty as well as Council's guidelines as well as the NorBE test. All issues of contention raised by the Department have been addressed. The applicant's consultants believed that its June 2017 submission achieved the necessary requirements;
  - The level of detail provided is appropriate for a Concept Proposal with technical details to be provided a later stage;
  - The applicant incorporated storm filters in the treatment train at the request of the Department;
  - Comments made in the Department's assessment report in relation 'double-counting' were not previously raised. The applicant stated that their methodology was approved by the Department and consistent with industry reference paper. Until this month, the consultant was of the view that the issues had been addressed;
  - There are no reasons for refusal in the Department's report, only unsubstantiated claims;
  - The Department engaged Alluvium to review the estuary modeling. The review raised a number of issues that the applicant addressed, including new testing for 10-12 weeks and recalibrated models. The Department raised some residual uncertainty;
  - The estuary modeling report shows no impact;
  - Untreated pollutant loads would result in impacts. The assessment does not state that the development will lead to pollutant reduction;
  - Pollutant loads decreased to Lake Wollumboola as surface water is harvested and treated for internal reuse;
  - The assessment does not consider potential construction impacts;
  - A peer reviewer has been engaged by the applicant since receiving the Department's assessment report. The review will be completed by the end of the month. Other groundwater studies relating to the Planning Proposal will be complete within the next two years;
- Biodiversity – the applicant said that:
  - In relation to the north-south biodiversity corridor, the applicant said that the corridor is not really used by fauna as the water is mostly saline. The applicant said that the OEH agreed there was no need for a north-south corridor;
  - In relation to potential pathogen impact, pets, ducks and other animals are significant contributors. The applicant said that monitoring at a caravan park and at a bushland site had demonstrated that indicator pathogens from ducks, kangaroo's

and other wildlife exceeded the contribution made from the caravan park from, for example, pets and that the whole concept proposal would be sewerred to strict standards;

- Issues raised regarding risk to oyster production however concerns raised by NSW Fisheries not the oyster industry. The applicant considers there is a lack science behind comments raised and has committed to ongoing water quality monitoring and management;
- Traffic – the applicant said that:
  - Council and the Road and Maritime Service met on site and agreed to the proposed roundabout;
  - There is no way into the site unless it is within the Lake Wollumboola catchment. Council's latest response states it is satisfied with the network;
  - Emergency egress approval by RMS and Council.

**Meeting closed at:** 9.30am