



# ***Dolphin Point Residential Subdivision***

*Part 3A Modification  
Assessment  
(MP 05\_0024 MOD 4)*



April 2019

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**Cover photo:** Dolphin Point (SIX Maps)

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# Glossary

Abbreviation	Definition
Council	Shoalhaven City Council
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPI	Environmental Planning Instruments
LATM	Local Area Traffic Management
LGA	Local Government Area
Minister	Minister for Planning
NPWS	National Parks and Wildlife Service
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
RtS	Response to Submissions
SCA	State Conservation Area
SPP No. 1	Shoalhaven Planning Policy No. 1
ULALC	Ulladulla Local Aboriginal Land Council



# Executive Summary

This report is an assessment of a section 75W modification request seeking to amend the Project Approval for a residential subdivision at Dolphin Point (MP 05\_0024) in the Shoalhaven local government area.

The Project Approval permits a 104-lot residential subdivision and the creation of a 6.2-hectare conservation reserve.

The modification request seeks approval to:

- delete Condition B21 which requires the Proponent to construct a left-turn approach lane onto the Princes Highway from the roundabout at Dolphin Point Road
- replace two medium density residential lots with six individual residential lots in Stage 5
- amend monetary contributions to reflect the proposed additional lots in Stage 5
- amend the Statement of Commitments (SoCs) for matters relating to ecology, urban design, road infrastructure provisions and development staging.

The request has been lodged by Allen Price & Scarratts Pty Ltd on behalf of Malbec Dolphin Point Pty Ltd and the Ulladulla Local Aboriginal Land Council (ULALC) (the Proponent), pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## Engagement

The proposal was notified between 23 January and 6 February 2018. The Department of Planning and Environment (the Department) received a total of three submissions from Shoalhaven City Council (Council), Roads and Maritime Services (RMS) and the Office of Environment and Heritage (OEH). No public submissions were received.

Council supported the deletion of the requirement to provide a left-turn approach lane onto the Princes Highway, as a new roundabout has recently been constructed further to the north of the site, providing an additional access onto the Princes Highway. However, Council raised concern about the deletion of the Statement of Commitments (SoC) relating to:

- the provision of local area traffic management (LATM) treatments on Vista Drive (south of Bonito Street)
- the requirement for management plans for the of the Leafless tongue orchid and White-footed dunnart.

OEH also raised concerns about the proposed amendments to the management of the Leafless tongue orchid and White-footed dunnart in the SoC.

RMS raised no concerns about the proposal noting the provision of the left-turn approach lane is ultimately a decision for Council being local road authority.

## Response to Submissions

The Department requested the Proponent to address the issues raised in agency submissions. The Proponent submitted a Response to Submissions (RTS) and addendum to the RTS. Council advised it supported the amendments to the SoC outlined in the addendum RTS subject to funding for threatened species management being provided prior to the issue of a Subdivision Certificate for Stage 3 or the next appropriate stage. OEH also supported the amendments to the SoC outlined in the addendum RTS and confirmed that the funding will be used by the National Parks and Wildlife Service to undertake management actions which would benefit the Leafless tongue orchid and White-footed dunnart in the land area.

## Conclusion

The Department has carefully assessed the merits of the proposal as well as the issues raised in submissions. The Department is satisfied the proposal is acceptable as:

- the requirement to provide a left-turn approach lane onto the Princes Highway is no longer necessary as a new roundabout has recently constructed further to the north of the site which provides a second northbound access onto the Princes Highway
- replacing two medium density lots with six standard residential lots would not result in any additional environmental, traffic or car parking impacts and the revised subdivision layout is in keeping with the existing low-density character of Dolphin Point
- the amended SoC's include funding to be provided to NPWS for the preparation and implementation of management plans to protect the Leafless tongue orchid and White-footed dunnart.

The Department's assessment, therefore, concludes the proposal is approvable. The modification request is referred to the Independent Planning Commission (the Commission) for determination as the Proponent has made a reportable political donation.



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# 1. Introduction

## 1.1 Background

This report is an assessment of a modification request by Allen Price & Scarratts Pty Ltd on behalf of Malbec Dolphin Point Pty Ltd and the Ulladulla Local Aboriginal Land Council (ULALC) (the Proponent) to modify the Dolphin Point residential subdivision (MP 05\_0024) at Highview Drive, Dolphin Point in the Shoalhaven local government area (LGA).

The modification request is made pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to delete Condition B21 requiring the construction of a left-turn approach lane onto the Princes Highway, replacement of two medium density lots in Stage 5 with individual lots and amendments to the approved Statement of Commitments (SoCs).

## 1.2 Site

The subject site is located at Dolphin Point, a coastal town in the Shoalhaven LGA. The site is irregular in shape and encompasses approximately 16 hectares (ha) of land.

The site is legally described as Lots 117/118 DP 1226471 and is under the ownership of the ULALC. Access to the site is provided via Dolphin Point Road which connects to the Princes Highway.

The site location is shown in **Figure 1**.



**Figure 1** | Site Location (Source: DPE)

## 1.3 Approval History

On 8 August 2009, the then Minister for Planning granted approval for the Dolphin Point residential subdivision involving the creation of 104 freehold title lots across 7 stages of development and the creation of a 6.2 ha conservation reserve.

The approval has been modified on three occasions (see **Table 1**).

**Table 1** | Summary of Modifications to MP 05\_0024

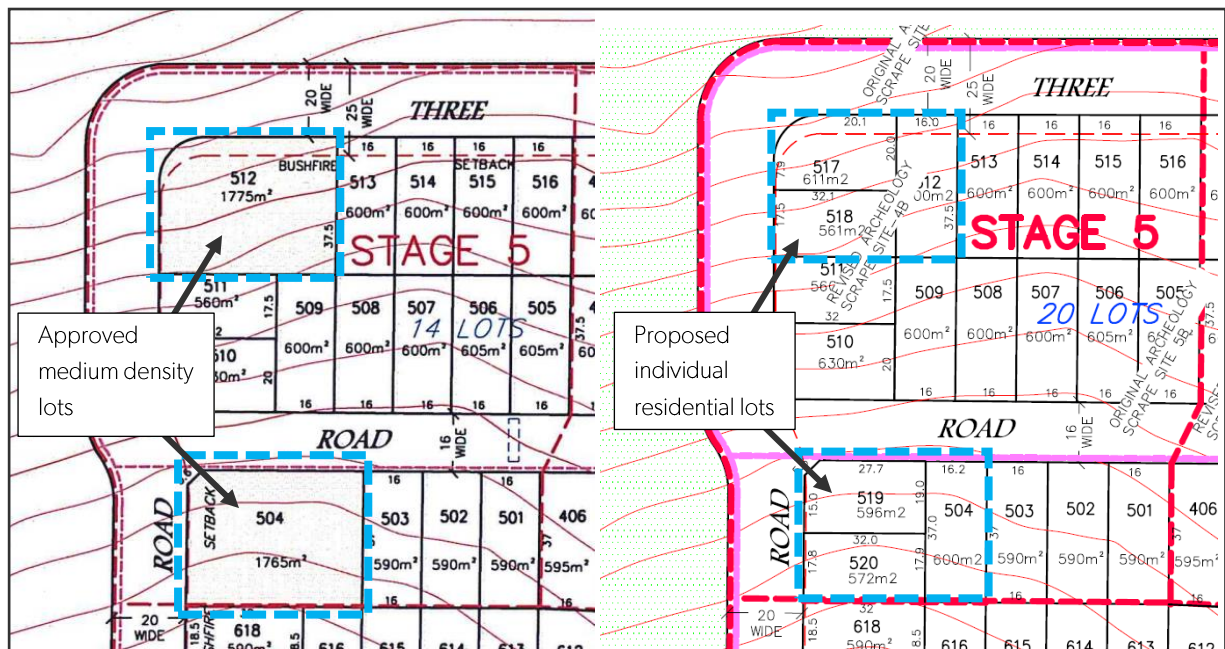
Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Redesign of the roundabout at the intersection of Dolphin Point Road, Seaside Parade, Highview Drive and Road One and a series of amendments to the conditions of approval largely relating to revised subdivision staging.	Department	75W	3 July 2013
MOD 2	Removal of restrictions relating to the keeping of dogs on the site.	Department	75W	22 April 2016
MOD 3	Amendments to Condition A4 to reflect an updated Aboriginal Heritage Management Plan.	Department	75W	7 March 2018



## 2. Proposed Modification

The Proponent has lodged a modification request seeking to modify the Project Approval for the Dolphin Point residential subdivision (MP 05\_0024 MOD 4). The modification request proposes:

- the deletion of Condition B21 which requires the Proponent to construct a left-turn approach lane onto the Princes Highway from the roundabout at Dolphin Point Road
- the replacement of two medium density residential lots with individual residential lots, increasing the number of lots in Stage 5 from 16 to 20 (see **Figure 2**)
- amendments to the Statement of Commitments (SoCs) for matters relating to ecology, urban design, road infrastructure provisions and development staging.



**Figure 2** | Approved and proposed lots in Stage 5 (Source: MOD 1 Approved Plans and MOD 4 request)





## 3. Statutory Context

### 3.1 Scope of Modifications

The project was originally approved under Part 3A of the EP&A Act. The project is a transitional Part 3A project under Schedule 2 to the EP&A (Savings, Transitional and Other Provisions) Regulation 2017. The power to modify transitional Part 3A projects under section 75W of the Act as in force immediately before its repeal on 1 October 2011 is being wound up – but as the request for this modification was made before the ‘cut-off date’ of 1 March 2018, the provisions of Schedule 2 (clause 3) continue to apply. Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the carrying out of the project under section 75W of the EP&A Act.

### 3.2 Consent Authority

The Minister for Planning is the approval authority for the modification request. However, the Commission may determine the request under delegation as a political disclosure statement has been made by the Proponent.

### 3.3 Environmental Planning Instruments

The following current Environmental Planning Instruments (EPIs) are relevant to the request:

- State Environmental Planning Policy No. 44 – Koala Habitat Protection
- State Environmental Planning Policy No. 55 – Remediation of Land

The Department has considered the proposed modification against these above-mentioned EPIs in its original assessment. The Department considers the modification does not result in any significant changes that would alter the considerations and conclusions made as part of the original assessment.

#### State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP)

The Department has also considered the proposal against the requirements of the Coastal SEPP which commenced on 3 April 2018. The Coastal SEPP consolidates and replaces SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection).

The Coastal SEPP identifies the site as located within the Coastal Environment Area and Coastal Use Area and therefore clauses 13 and 14 apply, respectively. The Department has considered the proposal against these clauses and is satisfied that the proposal is consistent with the Coastal SEPP as the proposal does not seek to change the footprint of the development and would not have any additional coastal impacts beyond those already assessed and approved in the original assessment.

#### Shoalhaven Local Environmental Plan 2014 (SLEP 2014)

The Department has also considered the proposal against the requirements of the SLEP 2014, which commenced on 8 April 2014. The SLEP 2014 replaces the Shoalhaven Local Environmental Plan 1985 (SLEP 1985) on the site. The Department considered the development against SLEP 1985 in its original assessment.

Most of the site is zoned R1 General Residential under the SLEP 2014, with a small section zoned E2 Environmental Conservation along the north-western boundary. The Department has considered the proposal against the SLEP 2014 and is satisfied that the proposal is consistent with the objectives of the R1 and E2 zones, noting the development will continue to provide low-density residential dwellings to meet the needs of the community and continues to include a range of measures to protect and mitigate impacts to biodiversity, groundwater and water quality.



## 4. Engagement

The modification request was made publicly available on the Department's website and referred to Shoalhaven City Council (Council), Roads and Maritime Services (RMS) and the Office of Environment and Heritage (OEH). Land owners within the subdivision site and those located in proximity to the future left-turn approach lane (required under Condition B21) were formally notified of the modification request.

The Department received submissions from Council, RMS and OEH. No public submissions were received.

### 4.1 Key Issues – Government Agencies

**Council** did not object to the proposed modification and provided the following comments:

- the deletion of Condition B21 requiring a left-turn approach lane to the Princes Highway from the roundabout at Dolphin Point Road is supported as there is no nexus to place the full cost of providing the infrastructure on to the one development. Further, recent access changes to the Princes Highway including construction of a roundabout at the Princes Highway / Dolphin Point Road intersection has provided a second right-turn (northbound) access point for the site;
- the proposed amendments to Condition B19(7) involving the deletion of the requirement to provide local area traffic management (LATM) treatments on Vista Drive (south of Bonito Street) should remain to discourage through-traffic and maintain a low-speed environment;
- the proposed restrictions on the title of each lot within the subdivision regarding cats and dogs is supported; and
- the proposed amendments to the SoCs relating to the Leafless tongue orchid and White-footed dunnart are not supported as justification by a qualified ecologist has not been provided as part of the modification request.

**RMS** did not object to the proposed modification. It was advised that the deletion of Condition B21 is ultimately a decision for Council.

**OEH** did not object to the proposed modification. However, concerns were raised regarding the proposed amendments to the SoCs relating to the management of threatened species including the Leafless tongue orchid and White-footed dunnart.

### 4.2 Response to Submissions

The Proponent prepared a Response to Submissions (RtS) dated 13 April 2018 to respond to the issues raised by Council, RMS and OEH. The Proponent also prepared an addendum to the RtS dated 28 August 2018 to further address the issues raised by Council and OEH.

The RtS and addendum RtS were referred to agencies for comment and were made available on the Department's website.

**Council** advised that it supports the proposed amendments to the SoCs (as outlined in the addendum RtS) subject to the funding for threatened species management being provided prior to the issue of a subdivision certificate for Stage 3 or the next appropriate approval.

**OEH** advised that it supports the proposed amendments to the SoCs relating to the management of threatened species (as outlined in the addendum RtS) and confirmed that the funding to be provided by the Proponent will be used by the National Parks and Wildlife Service (NPWS) to undertake management actions that would benefit the Leafless tongue orchid and White-footed dunnart.



## 5. Assessment

### 5.1 Deletion of Condition B21

The modification request seeks to delete Condition B21 which requires the Proponent to construct a left-turn approach lane onto the Princes Highway from the roundabout at Dolphin Point Road. The left-turn lane is required to be constructed either in conjunction with Stage 5 or when road widening is undertaken at Lot 6 DP 1123774, whichever is the latter. The indicative location of the road network infrastructure required under Condition B21 is shown in **Figure 3**.



**Figure 3** | Location of a future approach lane to the Princes Highway (required under Condition B21)

The Proponent argues that there is no direct nexus between the approved subdivision and the infrastructure required under Condition B21 and that it is unreasonable to place the sole responsibility for the provision of this infrastructure on a single development. Further, the Proponent questioned the need for the additional left-turn approach lane given most traffic movements will be northbound on to the Princes Highway.

Council advised that it supports the deletion of Condition B21 and agreed that there is no nexus to place the full cost of providing the infrastructure on to the one development. Council also noted that a new roundabout was recently constructed as a part of the RMS Burrill Lake Bridge – Princes Highway project, which provides an additional northbound access onto the Princes Highway, which did not exist when the original project was assessed.

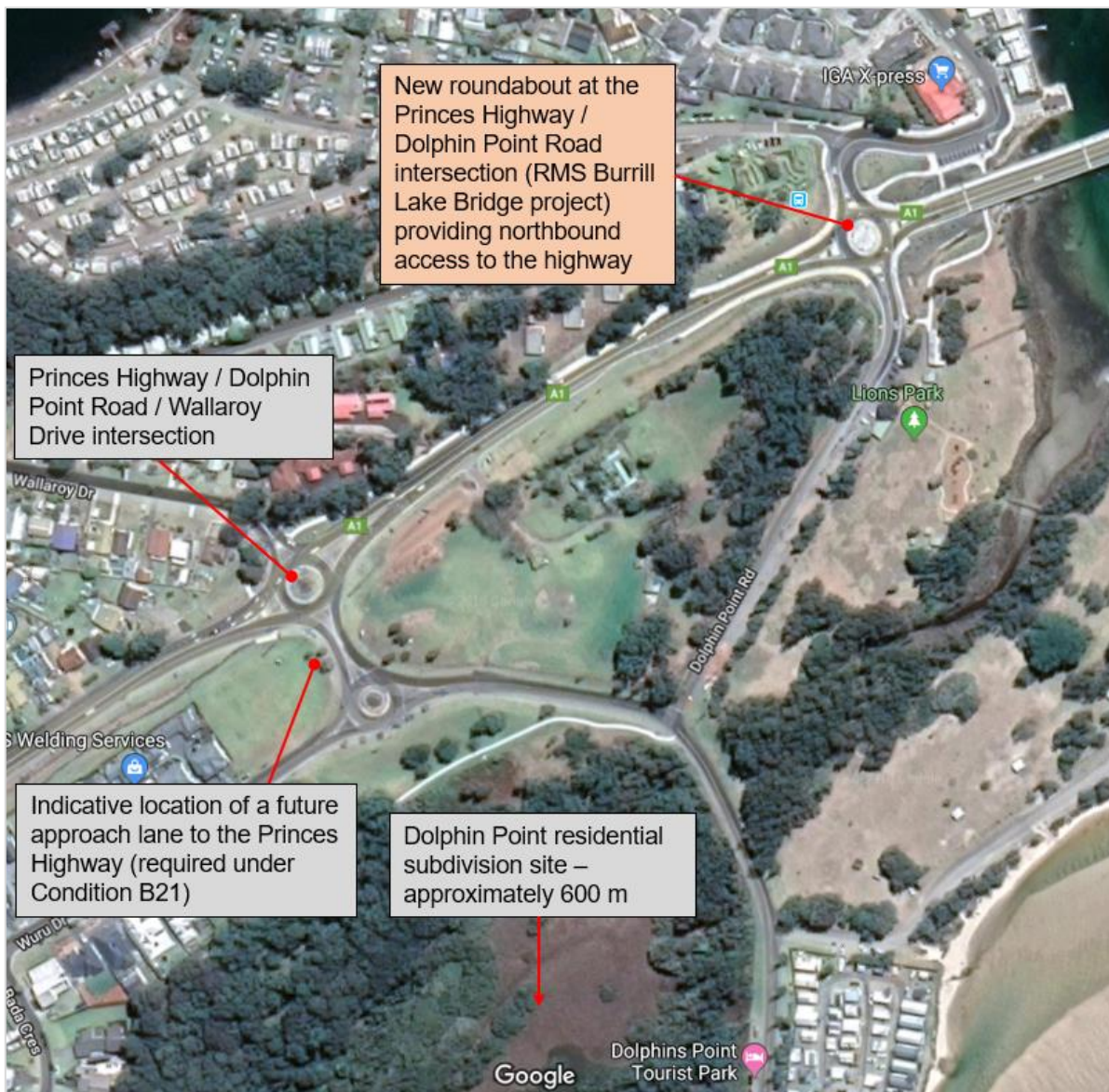


Department’s consideration

MOD 1 previously sought approval to delete Condition B21. However, the deletion of Condition B21 was not supported on the basis that insufficient justification was provided to support its removal. Council also objected to the deletion of Condition B21 at the time MOD 1 was assessed on the basis that the link road between the two existing roundabouts at Dolphin Point Road (shown in **Figure 4** below) did not provide sufficient storage for queuing at the intersection. Council also considered that the traffic volumes generated by the approved subdivision demonstrated there was a need for the additional left-turn lane to be provided.

At the time MOD 1 was determined, all traffic generated by the development and the surrounding residential catchment was required to make use of the existing roundabout at the Princes Highway / Dolphin Point Road / Wallaroy Drive intersection. However, a new roundabout has now been constructed further to the north of the site as a part of the RMS Burrill Lake Bridge – Princes Highway project. This provides an additional access point to the Princes Highway from Dolphin Point Road, which was previously not available.

**Figure 4** shows the location of the two roundabouts on the Princes Highway that now operate in proximity to the subdivision site.



**Figure 4** | Location of a future approach lane to the Princes Highway (required under Condition B21) (Base source: Google)



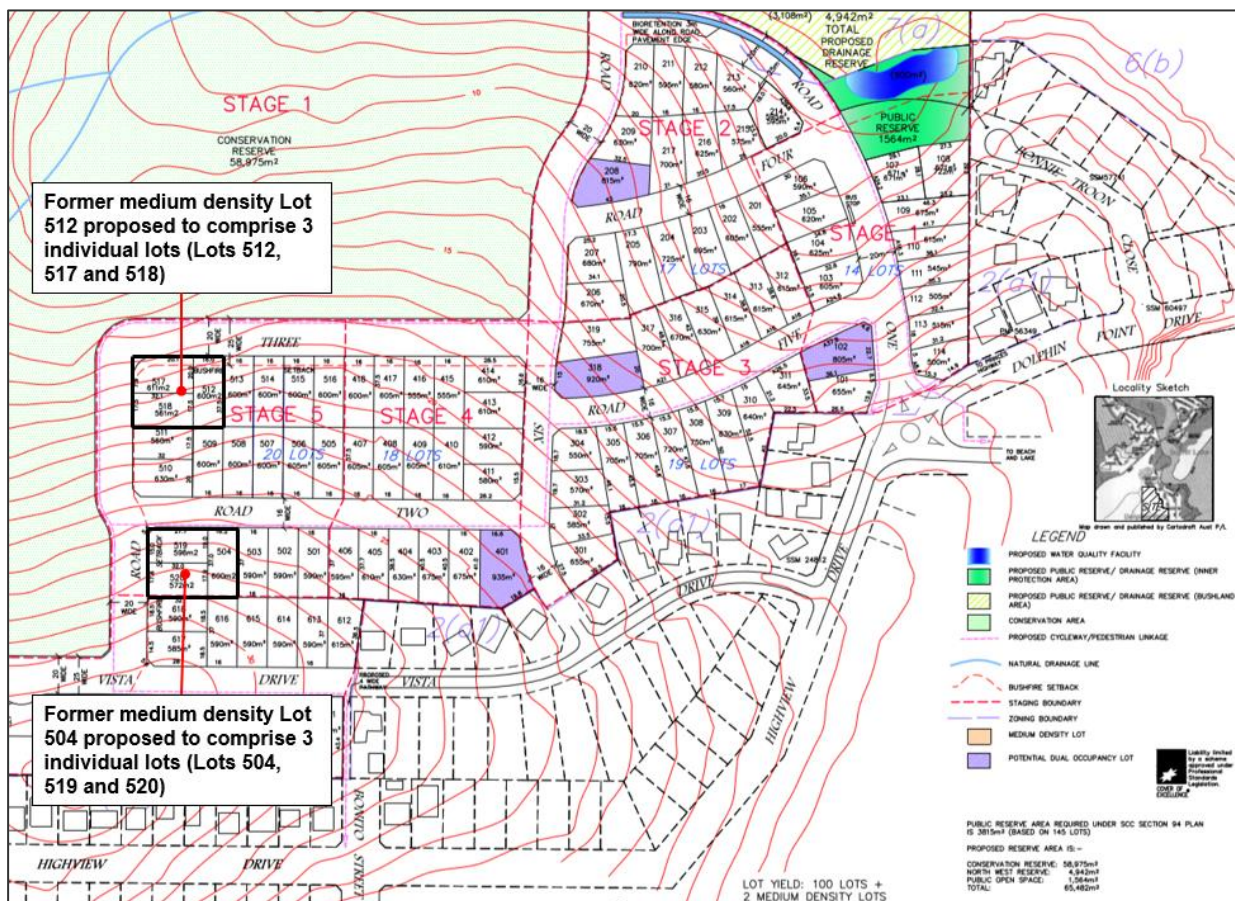
The Department has carefully considered the proposed modification and supports the deletion of Condition B21 on the basis that:

- the RMS Burrill Lake Bridge – Princes Highway project has created an additional northbound access point to the Princes Highway from Dolphin Point Road for traffic generated by the development
- the additional northbound access point provides a solution to the Department’s and Council’s previous concerns relating to traffic impacts at the Princes Highway / Dolphin Point Road / Wallaroy Drive intersection
- Council support the deletion of the condition and RMS have not raised concerns relating to this most recent request to delete the condition.

Therefore, the Department considers the deletion of Condition B21 requiring a left-turn approach lane at the Princes Highway / Dolphin Point Road / Wallaroy Drive roundabout is acceptable as a new roundabout has been constructed creating a second northbound access point from Dolphin Point Road to the Princes Highway.

## 5.2 Replacement of medium density residential lots in Stage 5

The modification request seeks to replace two medium density residential lots approved as part of Stage 5 (Lots 504 and 512) with individual residential lots, increasing the total number of lots in Stage 5 from 16 to 20. The location of the approved medium density lots and proposed layout of new individual lots is shown in **Figure 5**.



**Figure 5** | Proposed subdivision layout

The medium density residential lots were originally included as part of the development to address the requirements of Shoalhaven Planning Policy No. 1 (SPP No. 1) which states *the predominant form of development for the Burrill Lake/Dolphin Point area is 'standard urban residential'*. However, given the increasing demand for higher density housing and tourist orientated development in the area, the Policy includes scope for appropriately located 'medium density development'. The policy outlines a requirement of between 10% and 20% of the total area of land identified as 'standard urban residential' to provide for medium density residential development.



The Proponent's justification to replace the medium density lots is a result of market conditions dictating higher demand for individual residential lots.

Council did not raise any concerns relating to the removal of the medium density lots and proposed replacement with individual lots.

#### Department's consideration

The Department notes that residential market conditions at Dolphin Point may have changed since SPP No. 1 was adopted by Council in 2004 and acknowledges the Proponent's justification that there is now greater demand for individual lots.

The Department considers that replacing the two medium density residential lots with six standard residential lots is acceptable as:

- the overall density of the development would remain similar to the original approval
- the proposal would not result in any significant environmental, traffic or car parking impacts
- the amended subdivision layout will remain consistent with the existing low-density residential environment at Dolphin Point and Burrill Lake.

The Department's assessment therefore concludes the replacement of two medium density residential lots with six standard residential lots is acceptable as it would not result in any additional impacts beyond those already assessed and approved. The Department has also recommended an amended condition to update the contributions required for Stage 5 accordingly.

### **5.3 Amendments to the Statement of Commitments**

The modification request seeks to amend a number of the SoCs for matters relating to ecology, urban design, road infrastructure provisions and development staging. These matters are assessed below.

#### Ecology – Leafless tongues orchid and White-footed dunnart (management plans)

The Proponent committed to provide funding for the preparation and implementation of management plans for the Leafless tongue orchid and White-footed dunnart in the adjoining Barnunj State Conservation Area (SCA). Both species are listed as vulnerable under the *Biodiversity Conservation Act 2016*. The Leafless tongue orchid is also listed as vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999*.

The Proponent seeks to delete the SoC as the area identified as containing the Leafless tongue orchid has been conserved as part of the adjoining Barnunj SCA.

OEH did not support the deletion of the SoC and considered that the commitments made by the Proponent toward the management of biodiversity should be adhered to. Council did not support the deletion of the SoC as the issue was not considered by a qualified ecologist.

The Proponent subsequently provided advice from qualified ecologist Lesryk Environmental Pty Ltd (Lesryk) as part of the RtS. Lesryk advised that the relocation of the Leafless tongue orchid and White-footed dunnart in the adjoining Barnunj SCA is not required as their habitat was increased and conserved as part of the original application. Notwithstanding, Lesryk advised that the ongoing management and monitoring of the Leafless tongue orchid population within the SCA is required.

Following further consultation with OEH and Council, the Proponent provided an addendum RtS confirming the commitment to provide funding for the preparation and implementation of management plans will be retained in a modified form. Rather than the Proponent managing the process of preparing and implementing the management plans for a location outside of the Proponent's ownership, funding will instead be provided to either the NPWS or OEH who would be responsible for the preparation and implementation of the plans.

OEH and Council supported the proposed amendment, subject to the funding being provided prior to the issue of a subdivision certificate for Stage 3 or the next appropriate approval.

The Department supports the proposed amendment to the SoC requiring funding to be provided to either NPWS or OEH. The Department notes that the subdivision certificate for Stage 3 has been released and the next stage for release is Stage 6. As such, the funding will be required prior to the release of the subdivision certificate for Stage 6. The amended SoC will ensure the Proponent maintains the obligation to contribute to the management and sustainability of threatened species located on the site.

#### Ecology – Leafless tongues orchid (translocation)

The Proponent committed to provide funding for the attempted translocation of the Leafless tongue orchid individuals from within the subdivision boundary (Lot 171) to suitable habitat in the Barnunj SCA.

The original proposal translocated the Leafless tongue orchid individuals as they were located in an area proposed to be cleared for future residential development within Lot 171. However, the conditions of approval for MP 05\_0024 amended the boundary between the conservation area and residential land use, which resulted in the retention of vegetation originally proposed to be cleared and as such, the orchids were subsequently retained. Consequently, the Proponent seeks to delete the SoC requiring their translocation.

The Proponent provided advice from ecologist Lesryk Environmental Pty Ltd (Lesryk) as part of the RtS. Lesryk considered the relocation of the Leafless tongue orchid into the adjacent Barnunj SCA is not required given their impacted habitat (originally proposed to be cleared) has been retained as part of the conservation reserve.

OEH advised that it supports the deletion of the SoC as there is no longer a need to relocate the species. Council did not raise concerns regarding the deletion of the SoC.

The Department is satisfied the Leafless tongue orchid individuals will be retained as part of the development and therefore supports the proposed deletion of the SoC.

#### Ecology – Keeping of pets

The SoCs currently require the Proponent to impose a restriction on the title of each lot requiring cats and dogs to be kept only within the curtilage of a dwelling house unless secured on a leash. The Proponent seeks to amend the SoC to be consistent with Condition E5(3) of the project approval which was amended as part of MOD 2 to allow dogs to be kept within the confines of a residential allotment or kept on a leash at all other times.

As part of the assessment of MOD 2, the Department considered the keeping of dogs within the boundaries of a residential allotment or on a leash at all other times, was unlikely to disturb the local White-Footed Dunnart population during night time when they are most active. Additionally, the Proponent was required to install dog-proof fencing along the boundary where the conservation reserve interfaced with the residential development. As such, the MOD 2 was approved to allow the keeping of dogs on the site. The Department supports the proposed modification to align the SoC with the conditions of approval.

#### Urban design

The Proponent committed to the imposition of a Restriction as to User on the title of all lots that are opposite the Barnunj SCA requiring any building to be finished in darker toned and non-reflective colours that blend with the natural landscape. The Proponent has advised that, when the original development was approved, the conservation reserve was extended and therefore the dwellings that were proposed to be located opposite the Barnunj SCA no longer form part of the development.

The Department notes that Condition E5(3)(f) requires a restriction to user be placed on all residential lots that materials and colours used in buildings be predominantly of muted shades that blend in with the surrounding

bushland. As all residential buildings on the site are required to be sympathetic and blend in with the natural landscape through Condition E5(3)(f), the Department raises no concerns with the amendment to the SoC.

#### Infrastructure – traffic calming (Bonnie Troon Close)

The Proponent committed to the construction of raised thresholds within the road connecting Bonnie Troon Close to other public roads in the subdivision to discourage through-traffic. The Proponent has advised that Bonnie Troon Close does not connect to roadways within the approved subdivision and that this was never corrected when the original approval was issued.

Council advised that it supports the deletion of this SoC.

The Department notes that as part of amendments to the original approval, the road connection to Bonnie Troon Close from the site was removed. As such, the existing Bonnie Troon Close does not connect to the site and it remains a short street with a cul-de-sac that would discourage speeding on the road. As such, the Department raises no concern regarding the deletion of this SoC.

#### Infrastructure – traffic calming (Vista Drive)

The Proponent committed to constructing traffic control devices throughout the subdivision to maintain a low-speed traffic environment. The modification request seeks to delete this SoC as speed humps are not considered appropriate for this location.

Council supported the deletion of this SoC with the exception of the LATM treatments that were identified for Vista Drive (south of Bonito Street). Council considered the SoC to provide LATM treatments at this location should be retained to discourage through-traffic and maintain a low-speed environment.

The Proponent advised in the RtS that Vista Drive (south of Bonito Street) services only 17 to 18 lots and also curves between Bonito Street and Highview Drive which naturally slows the speed of traffic. Further, Stage 6 of the subdivision is identified as having a longitudinal gradient of greater than 5% which exceeds the maximum grade specified in *AS 1742.13-2009 – Manual of uniform traffic control devices Part 13: Local area traffic management*. Therefore, speed humps are not appropriate for this location.

The Department accepts the Proponent's justification that the longitudinal gradient of Stage 6 exceeds the desired maximum grades specified under *AS 1742.13-2009*. Further, a cul-de-sac is proposed at the southern end of Vista Drive as part of Stage 6 that would discourage through-traffic and assist in maintaining a low-speed environment. The Department considers the Proponent's justification provided in the RtS is adequate and therefore supports the deletion of the SoC.

#### Administrative amendments

The Proponent seeks to amend a number of the SoCs relating to the provision of infrastructure (including footpaths and traffic calming facilities), development staging to make reference to the most recent subdivision plan that is submitted as part of this modification request and administrative updates to reflect new service provider names.

The Department supports the proposed amendments to the SoCs as it will ensure reference is made to the most recently approved plans.



## 6. Evaluation

The Department has assessed the merits of the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department has carefully considered the issues raised in the agency submissions and has concluded the proposal is acceptable as:

- the requirement to provide a left-turn approach lane onto the Princes Highway is no longer necessary as a new roundabout has recently constructed further to the north of the site which provides a second northbound access onto the Princes Highway
- replacing two medium density lots with six standard residential lots would not result in any significant environmental, traffic or car parking impacts and the revised subdivision layout is in keeping with the existing low-density character of Dolphin Point
- the protection of threatened species would be maintained as part of the SoCs with Council and OEH supportive of the amendments
- it would not result in any adverse environmental impacts beyond those impacts assessed as part of the original application.

The Department's assessment, therefore, concludes the modification request is approvable, subject to the recommended conditions outlined in **Appendix D**. This assessment report is hereby presented to the Commission for determination.

Recommended by:

**Anthony Witherdin**  
Director  
Regional Assessments

Recommended by:

**Anthea Sargeant** 5/4/19  
Executive Director  
Key Sites and Industry Assessments



# Appendices

## Appendix A – Modification Request

A copy of the Modification Request can be found on the Department's website at the following link:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8878](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8878)



## Appendix B – Submissions

A copy of the Submissions received by the Department can be found on the Department's website at the following link:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8878](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8878)

## Appendix C – Response to Submissions Report

A copy of the Proponent's Response to Submissions Report and Addendum Response to Submissions Report can be found on the Department's website at the following link:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8878](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8878)

## Appendix D – Approval of the Modification Request

A copy of the Approval of the Modification Request can be found on the Department’s website at the following link:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8878](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8878)