

Your Ref: MP05_0199 MOD 2

23 October 2024

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Dear Michael

Rosedale Residential Subdivision Concept Plan – Modification 2 (MP05_0199 MOD 2)

Thank you for providing the notice of exhibition for the modification of the State Significant Concept Development of the Rosedale Subdivision, submitted by the applicant, Walker Corp.

Council's staff have undertaken a preliminary review of the modification and wish to raise the following concerns.

Change of Subdivision Type

The modification seeks to change the type of subdivision from Community Title Subdivision to Torrens Title Subdivision.

Whilst Council agrees that the Torrens Title Subdivision may result in a better community outcome. It does raise concerns for Council relating to the unreasonable financial burden being imposed on Council and the wider community as a direct result of this change.

The costs associated with the maintenance of significant areas of public open spaces, which includes 6 neighbourhood parks, facilities and retaining walls, maintenance of Retained Managed Land nominated in the Biodiversity Development Assessment Report (BDAR), management of Asset Protection Zones to ensure compliance with Planning for Bush Fire Protection and infrastructure, including sediment ponds proposed in the development. The community title subdivision meant that these costs were the responsibility of the Community Association.

The applicant has not provided any justification as to how the costs associated with the maintenance of these lands in perpetuity would be in any way absorbed by the developer. Council has raised this issue with the developer on numerous occasions.

The use of a Community Title Subdivision meant that the maintenance and management of these lands was undertaken by and the costs burden harboured by the Community Association.

The change to Torrens Title subdivision, will put a significant cost burden on Council and the local community for the benefit of private development.

It is recommended that the applicant commence investigations to determine the costs associated with the ongoing maintenance of all public facilities, including retaining walls, park lands, equipment and structures, Retained Managed Land (conserved vegetation remnants, watercourses and ecological corridors), asset protection zones, sediment basins and any other public reserve assets to be dedicated to Council. A report is required to define the costs associated with this maintenance in perpetuity with a scheduled replacement timeline of 15 to 20 year lifecycle for parks and recreation facilities.

The report must then consider the most appropriate option for the recoupment of these costs.

Infrastructure

Sewer

As the Water and Sewer Authority, Council raises concerns with any development that is contained within the Infrastructure Buffer as mapped in the Eurobodalla Local Environmental Plan 2012. It is vitally important to ensure that there are no lots within the buffer zone.

Note – The Infrastructure Buffer as depicted on Drawing AA_03, dated June 2024 is incorrect.

The Tomakin Treatment Plant is currently being prepared for expansion. This expansion is vital to ensure that the plant can accommodate the future residential development in Rosedale and surrounding localities. This means that it is important to ensure that the buffer is maintained and no residential lots encroach upon it.

Water

As the Water and Sewer Authority, Council wishes to advise that all lots will need to be provided with an appropriate reticulated potable water supply. Any lots with an elevation of approximately 40m AHD or greater will trigger the requirement for the installation of a new water reservoir to ensure that future dwellings can achieve appropriate water pressure.

Stormwater

Stormwater detention basins must be positioned to ensure that there is appropriate land available to expand the basins, in the event that at the Subdivision Works Certificate stage, it is found that basins have insufficient capacity.

Road Network Impacts

Proposed Southern Access Roundabout

Whilst it is considered that a roundabout is the appropriate intersection treatment for the southern access to the development, the current layout creates conflict with the existing road network in the locality. The roundabout prevents and obstructs the Barlings Beach access road. Council recommends that the following design changes be made to ensure that all road users and the road network can be preserved:

- Relocate the roundabout east incorporating the Barlings Beach access Road as a fourth leg of the roundabout.
- Alternatively, move the roundabout west to enable construction of a right turn lane.

It is also advised that right turn movements out of the access road are designed to cater for the movement of the roundabout if a right turn lane is constructed.

Desire Line / George Bass Drive Bypass

Consideration needs to be given to ensure that a desire line is not created through the subdivision, specifically from the southern access at George Bass Drive to Saltwood Drive / George Bass Drive intersection.

It is suggested that the subdivision layout be amended to increase the travel time from roundabout to roundabout by using appropriate traffic calming measures to prevent this road as a through road or short cut.

Biodiversity

The biodiversity credit obligations in the Biodiversity Development Assessment Report (BDAR) should be staged commensurate with the stages of subdivision.

Note - If the credit obligation is not staged at the concept stage, it will be onerous, costly and time consuming for the developer and Council to apportion the required credit obligations stage by stage with each future Development Application for subdivision.

Water Quality Impacts

An assessment needs to be undertaken into the water quality impacts on the receiving catchment, including the wetlands to ensure that appropriate measures are installed to ensure that there is no adverse impact on the significant environmental features adjoining the land.

Bush Fire

The application nominates that there are proposed public reserves which contain Asset Protection Zones to comply with Planning for Bush Fire Protection 2019. Council cannot manage any reserves as Asset Protection Zones. This has been conveyed to the applicant on numerous occasions.

Should you require further information, please contact Katrena Fuller, Senior Development Assessment Planner on 4474 1211 or council@esc.nsw.gov.au.

Yours sincerely



Gary Bruce
Director Planning and Environment