

Rosedale-SEARS_MP 05_0199_Mod-2

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Planning Secretary's Environmental Assessment Requirement <i>(letter dated 11 October 2023)</i>		Reference
0.0	General Requirements	
0.1	Notwithstanding the key issues specified below, the modification must include an environmental risk assessment to identify the potential environmental impacts associated with the development.	Section 6.0 of the Modification Report
0.2	The modification must be prepared in accordance with the Environmental Planning & Assessment Act 1979 (EP&A Act) and Environmental Planning & Assessment Regulation 2021 (EP&A Regulation).	Section 4.0 of the Modification Report
0.3	The modification application must demonstrate how the proposal can be assessed and determined within the scope of Section 75W of the EP&A Act and must assess any environmental impacts beyond those already assessed for the concept approval.	Section 4.0 of the Modification Report
0.4	The modification must include a report certified to be accurate at the time of publication by a qualified quantity surveyor providing: <ul style="list-style-type: none"> a detailed calculation of the capital investment value (CIV) of the proposal (as defined in clause 3 of the Regulation), including details of all assumptions and components for the CIV calculation, including consultant costs; an estimate of jobs that will be created during the construction phases of the proposal. 	Appendix F
1.0	Statutory & Strategic Context	
The modification must:		
1.1	address all relevant legislation, Environmental Planning Instruments (EPIs), draft EPIs, plans, policies and guidelines.	Section 4.0 of the Modification Report
1.2	identify compliance with applicable development standards and provide a detailed justification for any non-compliances	Section 4.0 of the Modification Report
1.3	comply with these SEARs	Appendix E
1.4	address the relevant objectives of Eurobodalla Shire Councils strategic plans, including 'Eurobodalla (sic) Local Strategic Planning Statement (LSPS) and the 'Eurobadalla (sic) Settlement Strategy'.	Sections 3.4 – 3.10 of the Modification Report
2.0	Relationship to existing concept approval (MP 05_0199)	
The modification must:		
2.1	address the requirements of the existing concept approval applying to the site.	Section 2.22 & Table 4 of the Modification Report
2.2	provide a comparison between the proposed modification and the approved scheme and include a rationale for the amendments.	Appendix G
2.3	outline and justify any proposed changes to the existing terms of approval, future assessment requirements and commitments.	Section 2.22 & Appendix G
2.4	outline how subdivision work undertaken to date under this concept plan is consistent with the concept plan as proposed to be modified.	Section 2.21 & Appendix J
3.0	Subdivision and Civil Design	
The modification must:		
3.1	include a modified Concept subdivision layout including: <ul style="list-style-type: none"> an urban structure plan identifying the intended land uses a road network with road hierarchy, including proposed road typologies and typical cross sections an integrated active transport network an open space plan identifying the intended uses for each area of open space 	Appendix I

Planning Secretary's Environmental Assessment Requirement <i>(letter dated 11 October 2023)</i>		Reference
3.2	demonstrate the proposed changes to the subdivision layout and land uses.	Appendix I
3.3	demonstrate how the existing residential development on site will be incorporated into the concept plan	Appendix I
3.4	include a concept bulk earthwork plan for the entire development area, including a bulk earthworks strategy identifying the concept grading	Appendix Q
3.5	include a Concept civil plans for the development area including typical road cross-sections	Appendix Q
4.0	Public domain and landscaping	
The modification must:		
4.1	identify and integrate key pedestrian and cycle links within the site and between the site and the surrounding street network;	Appendix O
4.2	identify the parts of the site which will be publicly accessible and how the interface between private/public spaces will be managed;	Appendix Q
4.3	address impacts on all existing trees, including opportunities to retain and integrate existing trees and number of trees to be removed;	Appendices Q & R
4.4	identify any trees or shrubs to be removed, retained or transplanted;	Appendix R
4.5	include details of the native vegetation community (communities) that occur, or once occurred on site, with a list of local provenance species (trees, shrubs and ground covers) to be used for landscaping;	Appendix H
4.6	specify that any landscaping will use a diversity of local provenance species (trees, shrubs and ground covers) from the native vegetation community (or communities) that occur, or once occurred, on the site to improve biodiversity;	Appendices I & Q
4.7	provide a preliminary landscape strategy for the Concept Plan area that outlines the types of landscaping to be undertaken around the precinct including facilities provided in areas of public open space.	Appendices I & Q
5.0	Open Space	
The modification must:		
5.1	demonstrate how the modified development provides access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local councils and the Department.	Appendix Q
5.2	<p>demonstrate how the development:</p> <ul style="list-style-type: none"> ensures that public space is welcoming, attractive and accessible for all. maximises permeability and connectivity. maximises the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection. maximises street activation. minimises potential vehicle, bicycle and pedestrian conflicts. address how Crime Prevention through Environmental Design (CPTED) principles are to be integrated into the open space for the development, in accordance with Crime Prevention and the Assessment of Development Applications Guidelines." 	Appendix Q
6.0	Development Contributions and Public Benefit	
6.1	The modification must address the requirements of any relevant contributions plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind and include details of any proposals for further material public benefit.	

Planning Secretary's Environmental Assessment Requirement (<i>letter dated 11 October 2023</i>)		Reference
6.2	Where the proposed modification includes alternative public benefit or a departure from an existing contributions framework, Council, the Department and relevant State agency must be consulted, and comments addressed prior to lodgement.	Table 5 & Section 2.38 of the Modification Report
7.0	Transport, Traffic, Parking and Access (Operation & Construction)	
The modification must:		
7.1	<p>include a transport and accessibility impact assessment, prepared in consultation with Transport for NSW and Council with comments addressed prior to lodgement, which provides:</p> <ul style="list-style-type: none"> (a) an analysis of the existing traffic network, including the road hierarchy, current daily and peak hour vehicle movements and existing performance levels of nearby intersections; (b) daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby and state road network intersections, and the need/associated funding for upgrading or road improvement works (if required). It is important that the proponent should provide relevant and up to date network and/or intersection traffic modelling; (c) the transport and traffic study must properly ascertain the cumulative study area traffic impacts associated with the development (and any other known proposed developments in the area); (d) regional and local intersection and road improvements, vehicular access options for adjoining sites, public transport needs, the timing and cost of infrastructure works and the identification of funding responsibilities associated with the development should be identified; (e) a forecast of additional daily and peak hour vehicle movements as a result of the proposal (using SIDRA modelling or similar at 5 year intervals) and identification of potential traffic impacts on road capacity, intersection performance and road safety (including pedestrian and cycle conflict). 	Appendix O
7.2	proposals to mitigate any traffic impacts, including intersection upgrades to achieve acceptable performance	Appendix O
7.3	proposals to improve walking and cycling, such as connections into existing walking and cycling networks, high quality end-of-trip facilities and adequate bicycle parking for visitors, employees and residents (provided in accordance with the relevant rates, specifications and standards) measures to promote sustainable travel choices for employees, residents or visitors, such as minimising car parking provision, encouraging car share and public transport, cycling and walking, implementing a green travel plan and providing end of trip facilities.	Appendix O
7.4	include a Construction Traffic Management Plan, prepared in consultation with Transport for NSW and Council, detailing predicted construction traffic movements, routes and access arrangements, and how construction traffic impacts on existing traffic, pedestrian and cycle networks would be appropriately managed and mitigated.	Appendix O
7.5	address matters raised by Transport for NSW at Appendix A.	Appendix O
7.6	address matters raised by Council at Appendix A.	Appendix O
8.0	Ecologically Sustainable Development (ESD) and Climate Change	
The modification must:		
8.1	identify how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) will be incorporated into the design, construction and ongoing operation of the proposed development.	Section 6.1-6.17 of the Modification Report
9.0	Contamination	
9.1	The modification must include a preliminary site investigation (PSI) that demonstrates that the site remains suitable (or may be made suitable after remediation) for the proposed use, in accordance with the State Environmental Planning Policy (Resilience and Hazards) 2021 - Remediation of Land and the associated guidelines.	Appendix J

Planning Secretary's Environmental Assessment Requirement (<i>letter dated 11 October 2023</i>)		Reference
9.2	Where recommended in the preliminary investigation, or requested by the Planning Secretary, the modification must also include a detailed site investigation, a remediation action plan and/or a preliminary long-term environmental management plan.	Sections 4.99 & 6.36-6.37 of the Modification Report & Appendix J
10.0	Environmental Heritage	
10.1	Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.	Sections 4.99 & 6.36 of the Modification Report & Appendix K
11.0	Aboriginal Cultural Heritage	
11.1	The modification must provide an Aboriginal Cultural Heritage Assessment Report (ACHAR), prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts to Aboriginal cultural heritage sites or values associated with the site.	Section 6.38 of the Modification Report & Appendix K
11.2	The ACHAR must be prepared in accordance with the <i>Guide to investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW</i> (OEH, 2011) and the Code of Practice for the <i>Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW, 2010), including results of archaeological test excavations (if required).	Appendix M
11.3	Include evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (DECCW, 2010).	Appendix M
12.0	Biodiversity	
The modification application shall:		
12.1	assess any biodiversity impacts associated with the development in accordance with the Biodiversity Conservation Act 2016, Biodiversity Conservation Regulation 2017 and the Biodiversity Assessment Method 2020, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the site is on biodiversity certified land.	Appendix I
12.2	Address matters raised by BCD at Appendix A.	See Below
13.0	Coastal Wetlands	
The modification must:		
13.1	address the requirements of the State Environmental Planning Policy (Resilience and Hazards) 2021 Part 2.2, Division 1 Coastal wetlands and littoral rainforest areas, and consistent with the requirements of Planning Direction 4.2 Coastal Management.	Section 4.36-4.42 of the Modification Report & Appendices D & Z
13.2	Address matters raised by BCD at Appendix A.	See Below
14.0	Stormwater Drainage and Water Quality	
	The modification application must include an Integrated Water Management Plan that:	Appendix L
14.1	Is prepared in consultation with Council and any other relevant drainage authority.	Appendices L & X
14.2	Details of the proposed drainage design for the site, including on-site detention facilities, water quality measures and the nominated discharge point(s) demonstrates compliance with Council or other drainage authority requirements and avoids adverse impacts on any downstream properties.	Appendix Q
14.3	When drainage infrastructure works are required that would be handed over to Council, provide full hydraulic details and detailed plans and specifications of proposed works that have been prepared in consultation with Council and comply with Council's standards.	Appendix X & DA Stage
14.4	Address matters raised by EPA at Appendix A	See Below

Planning Secretary's Environmental Assessment Requirement <i>(letter dated 11 October 2023)</i>		Reference
15.0	Flooding	
	The modification must:	
15.1	Include a flood impact and risk assessment (FIRA) that assesses the changes in overland flooding resulting from the change in subdivision layout to determine the flood behaviour and impacts associated with the development for the full range of events up to the probable maximum flood.	Appendix T
15.2	Address matters raised by BCD at Appendix A.	Appendix T
16.0	Ground Conditions	
	The modification must:	
16.1	Assess any geotechnical and acid sulphate soil impacts and sediment and erosion controls and demonstrate that the proposed development can be accommodated on the site.	Appendices W-1 & S
16.2	Address existing surface and groundwater and assess the impacts of the proposed modification on water quality.	Appendix L
16.3	Address matters raised by BCD at Appendix A.	Appendix L
17.0	Water and Servicing	
	The modification must:	
17.1	Describe measures to be implemented to minimise, reuse, recycle and safely dispose of this waste.	Sections 2.36-2.40 & Table 5 of the Modification Report
17.2	Identify appropriate servicing arrangements.	Appendix N
18.0	Bushfire	
18.1	The modification must include a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection 2019.	Appendix H
19.0	Environmental Health	
	The modification must:	
19.1	Provide justification for housing in proximity to the Sewage Treatment Plant including an odour assessment and health risk assessment.	Not applicable
19.2	Address matters raised by Council at Appendix A.	See below
19.3	Address matters raised by EPA at Appendix A.	See below
20.0	Staging	
20.1	If relevant, the modification must provide details regarding the staging of the proposed development.	Appendix P
21.0	Utilities	
	In consultation with relevant service providers the modification application must:	
21.1	Assess the impacts of the modification on existing utility infrastructure and service provider assets surrounding the site.	Section 5.1 of the Modification Report & Appendix N

Planning Secretary's Environmental Assessment Requirement (<i>letter dated 11 October 2023</i>)		Reference
21.2	Identify any infrastructure upgrades required off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained.	Section 6.0 of the Modification Report & Appendix N
21.3	Provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development.	Appendix N
21.4	Identify any requirements of the Infrastructure SEPP in relation to development on or adjacent to utilities and infrastructure.	Section 4.115 of the Modification Report & Individual DAs.
21.5	Address matters raised by Council at Appendix A.	See below
21.6	Address matters raised by Essential Energy at Appendix A.	See below
21.7	Address matters raised by EPA at Appendix A.	See below
25.0 (sic)	Water related Infrastructure Requirements	Appendix Y
25.1	The modification application should determine service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled water (if required) services have been made.	Section 6.44-6.55 of the Modification Report & Appendix Y
25.2	The Proponent must obtain endorsement and/or approval from Council to ensure that the proposed modification does not adversely impact on any existing water, wastewater or stormwater main, or other Council asset, including any easement or property.	Section 6.44-6.55 of the Modification Report & Appendix Y
25.3	Ensure that satisfactory steps/measures have been taken to protect existing stormwater assets.	Appendix P
25.4	Address matters raised by Council and at Appendix A.	See below
25.5	Address matters raised by EPA and at Appendix A.	See below
26.0	Plans & Documents	
26.1	The modification must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the modification rather than as separate documents. In addition, the modification must include the following:	Appendix I
	(a) high quality files of maps and figures of the subject site and proposal;	Appendix J
	(b) Site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings;	Appendix R
	(c) Site analysis plan;	Section 2.1-2.13 of the Modification Report & Appendix J
	(d) Modified Concept Plans;	Appendix I
	(e) Modified Concept Civil Drawings;	Appendix Q
	(f) Public domain and landscape Concept plan (and accompanying report);	Appendices K & R
	(g) Erosion and Sediment Control Plan;	Appendix P
	(h) Concept Bulk Earthworks Plan;	Appendix P
	(i) Stormwater management plans;	Appendix X
	(j) Arborist report;	Appendix R-1
	(k) Aboriginal Cultural Heritage Report;	Appendix M

Planning Secretary's Environmental Assessment Requirement <i>(letter dated 11 October 2023)</i>		Reference
	(l) Heritage Impact Statement (Statement of Heritage Impact);	Appendix V
	(m) ESD report;	Section 6.11-6.17 of the Modification Report
	(n) Traffic and Transport Impact Assessment;	Appendix O
	(o) Preliminary Construction Management Plan, inclusive of a construction and pedestrian traffic management plan.	Section 7 of Appendix O to the Modification Report
	(p) Contamination assessment, including remedial action plan and site audit statement (if required);	Appendix J
	(q) Integrated water management plan;	Appendix K
	(r) Servicing and operational waste management plan;	Sections 2.36-Paragraph 2.40 & Table 5 of the Modification Report
	(s) Bush Fire Assessment;	Appendix G
	(t) Site Specific Flood Assessment;	Appendix T
	(u) Flood Evacuation Plan;	Appendix T
	(v) Consultation summary report.	Appendix U & Section 4 of the Modification Report
27.0	Engagement	
27.1	<p>During the preparation of the modification, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with:</p> <ul style="list-style-type: none"> the relevant Department assessment team. Eurobodalla Shire Council any relevant agencies the community if the development would have required an approval or authorisation under another Act but for the application s 4.41 of the EP&A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&A Act, the agency relevant to that approval or authorisation. <p>The modification must detail the engagement undertaken and how issues raised and feedback provided have been considered and responded to in the project.</p>	Section 5.0 of the Modification Report
28.0	Expiry Date	
28.1	If you do not lodge a modification application within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.	Noted
29.0	References	
29.1	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.	Part Two reports

BIODIVERSITY & CONSERVATION REQUIREMENTS <i>(letter dated 14 September 2023)</i>		Response
	Native Vegetation Regulatory Map – Land Categorisation	
BCD 1.	<p>For State Significant Development (SSD)/State Significant Infrastructure (SSI) proposals that affect rural land as defined under Part 5A of the Local Land Services Act 2013, a draft Native Vegetation Regulatory Map is available upon request. This map as it relates to the development site must be requested from BCS during preparation of the Biodiversity Development Assessment Report (BDAR) and prior to the BDAR being submitted to the consent authority. Requests should be made via the Data Broker – data.broker@environment.nsw.gov.au.</p> <p>Where Category 2 – Regulated land is mapped as present on a development site, this will be identified on the draft map supplied by BCS and is land where the BAM must be applied.</p> <p>Where Category 1 – Exempt Land is present on a development site, early engagement with BCS is encouraged. Site-based floristic assessment is required to verify the presence or absence of critically endangered ecological communities (CEECs), critically endangered plants, threatened grasslands and threatened fauna, in order to confirm at the site scale whether the criteria for Category 1 – Exempt Land is met.</p> <p>Prior to the BDAR being submitted to the consent authority, the accredited assessor should submit a proposed land categorisation method to the BCS South East Planning team at rog.southeast@environment.nsw.gov.au for review.</p> <p>For more information, see Determining native vegetation land categorisation for application in the Biodiversity Offsets Scheme.</p>	Table 1, Appendix I
	Biodiversity	
BCD 2.	<p>The EIS must assess biodiversity impacts related to the proposed modification to Concept Application 05_0199 in accordance with Section 7.9 of the Biodiversity Conservation Act 2016 using the Biodiversity Assessment Method (BAM) 2020 and documented in a Biodiversity Development Assessment Report (BDAR), unless:</p> <ul style="list-style-type: none"> (a) a BDAR waiver is granted, or (b) the site is on biodiversity certified land. <p>The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s6.12), <i>Biodiversity Conservation Regulation 2017</i> (s6.8) and the BAM.</p>	Appendix H
BCD 3.	The BDAR must apply the avoid, minimise and offset hierarchy including assessing all direct, indirect, uncertain and prescribed impacts in accordance with the BAM.	Appendix H
BCD 4.	The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix K of the BAM.	Uploaded into BOAMs, Table 1, Appendix H
BCD 5.	<p>The BDAR must include details of the measures proposed to address the offset obligation as follows:</p> <ul style="list-style-type: none"> (a) The total number and classes of biodiversity credits required to be retired for the development/project; (b) The number and classes of like-for-like biodiversity credits proposed to be retired; (c) The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; (d) Any proposal to fund a biodiversity conservation action; (e) Any proposal to conduct ecological rehabilitation (if a mining project); (f) Any proposal to make a payment to the Biodiversity Conservation Fund. <p>If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.</p>	Section 13, Appendix H
BCD 6.	The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the <i>Biodiversity Conservation Act 2016</i> .	Declaration - Appendix H
BCD 7.	The EIS must contain a summary of the commitments set out in the BDAR to avoid, minimise and mitigate the biodiversity impacts of development that are to be implemented, post approval, by their inclusion in a Biodiversity Management Plan (BMP). The preparation of a BMP to fulfil the avoid and minimise requirements of the BDAR must be included as a condition of consent/approval, unless otherwise agreed	Appendix H

BIODIVERSITY & CONSERVATION REQUIREMENTS (letter dated 14 September 2023)		Response
	with BCS. The BMP must include detailed measures to minimise impacts on biodiversity, monitoring and reporting requirements, proposed adaptive management measures, performance criteria recommended to meet states outcomes, remedial actions to be undertaken if actions fail to achieve stated outcomes, and any additional actions relevant to the management of biodiversity.	
BCD 8.	If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.	N/A
BCD Note.	NOTE – A BDAR template and guidance document has been created to assist accredited assessors to prepare a BDAR. It has been developed in accordance with best practice, minimum information requirements, and to support BDAR reviewers. The BDAR Template can be found here and the Guidance for the BDAR Template can be found here. Supporting digital data as per Appendix K of the BAM is also required to be submitted.	Appendix H
Water & Soils		
BCD 9.	The EIS must map the following features relevant to water and soils including: (a) Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map) (b) Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method) (c) Wetlands as described in s4.2 of the Biodiversity Assessment Method. (d) Groundwater (e) Groundwater dependent ecosystems (f) Proposed intake and discharge locations	Appendices S, W-1 & Z
BCD 10.	The EIS must describe background conditions for any water resource likely to be affected by the proposed modification to Concept Application 05_0199, including: (a) Existing surface and groundwater (b) Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations (c) Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters. (d) Where locally derived indicators and guideline values are not available for the relevant Water Quality Objectives, the EIS must refer to the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG, 2018).	Appendix L
BCD 11.	The EIS must assess the impacts of the proposed modification to Concept Application 05_0199 on water quality, including: (a) The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the proposed modification to Concept Application 05_0199 protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction, using the Risk-based framework for considering waterway health outcomes in strategic land use planning decisions . (b) Identification of proposed monitoring of water quality or required changes to existing monitoring programs (c) How the development meets the objects of the Coastal Management Act 2016 and management objectives of relevant Coastal Management Areas defined under this Act (d) Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan)	Appendix L
BCD 12.	The EIS must assess the impact of the proposed modification to Concept Application 05_0199 on hydrology, including: (a) Water balance including quantity, quality and source (b) Effects to downstream rivers, wetlands, estuaries, marine waters (including marine protected areas) and floodplain areas	Appendices K & L

BIODIVERSITY & CONSERVATION REQUIREMENTS (letter dated 14 September 2023)		Response
	<ul style="list-style-type: none"> (c) Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems (d) Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches) (e) Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water (f) Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options (g) Identification of proposed monitoring of hydrological attributes 	
BCD 13.	<p>The description of existing water quality/hydrology in the EIS must be based on suitable data (meaning data collection may be required) and must include:</p> <ul style="list-style-type: none"> (a) Relevant water quality objectives (b) Water chemistry (c) A description of receiving water processes, circulation and mixing characteristics and hydrodynamic regimes (d) Lake or estuary flushing characteristics. (e) Sensitive ecosystems or species conservation values (f) Specific human uses and values (e.g. fishing, proximity to recreation areas) (g) A description of any impacts from existing industry or activities on water quality (h) A description of the condition of the local catchment e.g. erosion, soils, vegetation cover (i) An outline of baseline groundwater information, including, for example, depth to water table, flow direction and gradient, groundwater quality, reliance on groundwater by surrounding users and by the environment (j) Historic river flow data 	Appendix K & L
BCD 14.	<p>The assessment of the [development/infrastructure] on water quality and hydrology in the EIS must include:</p> <ul style="list-style-type: none"> (a) Water circulation, current patterns, water chemistry and other appropriate characteristics such as clarity, temperature, nutrient and toxicants, and potential for erosion (b) Changes to hydrology (including drainage patterns, surface runoff yield, flow regimes, and groundwater) (c) Disturbance of acid sulphate soils and potential acid sulfate soils (d) Stream bank stability and impacts on macro invertebrates (e) Water quality and hydrology modelling and/or monitoring, where necessary. 	Appendices W-1 & L,
BCD 15.	<p>The proposed monitoring of water quality must be undertaken in accordance with the Approved Methods for the Sampling and Analysis of Water Pollutant in NSW 2022 The EIS must include a water quality and aquatic ecosystem monitoring program that includes:</p> <ul style="list-style-type: none"> (a) Adequate data for evaluating maintenance, or progress towards achieving, the relevant Water Quality Objectives (b) measurement of pollutants identified or expected to be present 	Appendix L
BCD 16.	<p>The EIS must have regard to and document:</p> <ul style="list-style-type: none"> (a) Consistency with any existing entrance management policies or strategies for coastal lakes and lagoons (b) The ongoing implications and impacts of sea level rise on the continued use of the land and development subject to the EIS. 	<p>Appendix L</p> <p>(a)</p> <p>(b) - not relevant, site is not directly impacted by Sea Level Rise.</p>
	Flooding and Coastal Hazards	

BIODIVERSITY & CONSERVATION REQUIREMENTS (letter dated 14 September 2023)		Response
BCD 17.	<p>The EIS shall include a flood impact and risk assessment (FIRA). As a minimum the FIRA must:</p> <ul style="list-style-type: none"> (a) Consider the relevant provisions of the NSW Flood Risk Management Manual (2023) and associated guides, and existing council and government studies, information and requirements (b) Identify and describe existing flood behaviour on the site and its surrounding areas for the full range of events, including 5% AEP, 1% AEP, PMF and 0.5% AEP or 0.2% AEP and provide an assessment of the compatibility of the development and its users with flood behaviour. This may require flood modelling where existing flood information is not available (c) Determine and describe changes in post development flood behaviour, impacts of flooding on existing community and on the development and its future community for full range of events, 5% AEP, 1% AEP, PMF and 0.5% AEP or 0.2% AEP. This will typically require flood modelling (d) Consider impacts of climate change due to both sea level rise and increase in rainfall intensities considering relevant Council and government advice. The 0.5% AEP or 0.2% AEP events can be used to provide an understanding of the scale of change of flood behaviour relative to the 1% AEP event (e) Propose and assess the effectiveness of management measures required to minimise the impacts and risks of flooding to the development and its users and existing community <p>Note:</p> <ul style="list-style-type: none"> • The scope of a FIRA is intended to be consistent with the Draft EHG FIRA Guide, which is being finalised currently. • The FIRA will need to be tailored to suit the project being considered, whilst maintaining consistency with the FIRA guide. " 	Appendix T
BCD 18.	The EIS must demonstrate consistency with any certified Coastal Management Program (or Coastal Zone Management Plan) and be consistent with the management objects and objectives described in the Coastal Management Act 2016 and development controls for coastal management areas mapped under the State Environmental Planning Policy (Resilience and Hazards) 2021.	Section 3.4 of the Modification Report & Appendix L
BCD 19.	<p>The EIS must describe the potential effects of coastal processes and hazards (within the meaning of the Coastal Management Act 2016), including sea level rise and climate change:</p> <ul style="list-style-type: none"> (a) On the proposed development; (b) Arising from the proposed development. 	Not relevant – development is not adjoining coastline
BCD 20.	<p>The EIS must consider the effects of coastal processes and hazards (within the meaning of the Coastal Management Act 2016), impacting the site under the following scenarios:</p> <ul style="list-style-type: none"> (a) Current sea level (b) Projected future climate change (including sea level rise) scenarios that have been peer-reviewed and widely accepted by scientific opinion 	Not relevant to modified development - refer to Section 1.11 of Report.
	Coastal and Marine Ecology	
BCD 21.	<p>For development/infrastructure that have the potential for direct and/or indirect impacts on adjoining or nearby marine protected areas (marine parks and aquatic reserves) declared under the Marine Estate Management Act 2014 and the Fisheries Management Act 1994, the EIS must take the following into consideration:</p> <ul style="list-style-type: none"> • The management rules and purpose of zoning • Permissible uses of the area concerned under the regulations/management rules • The marine park management plan (if available) 	Section 2.26-2.38 & Table 5 of the Modification Report & Appendix L.
BCD 22.	The EIS must consider the potential impacts of the development in proximity to marine protected areas with regard to sediment transport processes and impacts to water quality.	Section 5.5 of EIS
BCD 23.	A threatened aquatic species assessment (<i>Part 7A Fisheries Management Act 1994</i>) to assess impacts on listed threatened species, populations or ecological communities listed under the <i>Fisheries Management Act 1994</i> (FM Act).	refer Appendix Z and Section 5.5 of Modification Report
BCD 24.	The EIS must assess the environmental, social and economic impacts of marine pests and general marine biosecurity risks from vessels associated with development.	Section 2.26-2.38 & Table 5 of the

BIODIVERSITY & CONSERVATION REQUIREMENTS <i>(letter dated 14 September 2023)</i>		Response
		Modification Report.
BCD 25.	The EIS must assess biodiversity impacts on threatened and protected marine wildlife species under the <i>Biodiversity Conservation Act 2016</i> related to the proposed development in the marine and coastal environment out to 3 nautical miles and up to mean high tide mark.	Section 2.26-2.38 & Table 5 of the Modification Report
BCD 26.	The EIS must identify whether the development would be classified as a key threatening process in accordance with the listings in the FM Act, the BC Act and the <i>Environmental Protection and Biodiversity Conservation Act 2000 (Cth)</i> .	Appendices I & Z
BCD 27.	The EIS must identify and assess any potential impacts of the construction/operation of the development on benthic species/habitats, sea grass beds, sponge beds, corals, shell/gravel and rocky reefs.	Section 2.26-2.38 & Table 5 of the Modification Report.
BCD 28.	The EIS must assess and identify whether there will be significant acoustic impacts on marine species during the construction and operation of the development.	Section 2.26-2.38 & Table 5 of the Modification Report.
BCD 29.	The EIS must identify and assess whether the development will cause significant light pollution including obtrusive lighting and propose an appropriate strategy to mitigate lighting spill from the site.	Section 2.26-2.38 & Table 5 of the Modification Report.

TRANSPORT FOR NSW REQUIREMENTS <i>(letter dated 6 September 2023)</i>		
	Context	
TfNSW Note 1.	The key state road is the Princes Highway.	Noted
TfNSW Note 2.	The Department is seeking advice from TfNSW to assist in the request for SEARs from Walker Group for the Ocean Ridge residential subdivision in Rosedale.	Noted
TfNSW Note 3.	The development proposes the modification of MP05_0199 being a Community Title Subdivision for residential development and ancillary commercial and community facilities.	Noted
	TfNSW Requirements	
TfNSW 1.	As identified in the Scoping Report (Section 1.11, Attachment 2) an updated Traffic Impact Assessment is required to identify the traffic and transport impacts on the classified and local road networks at key intersections and identify appropriate upgrades (if required).	Appendix O

NSW EPA REQUIREMENTS (letter dated 13 September 2023)		
	Air Quality & Odour	
EPA 1(a).	<p>The Concept Plan should deliver the following environmental outcomes:</p> <ul style="list-style-type: none"> ensure future residential receivers in Ocean Ridge are protected from any adverse cumulative air and odour impacts from the STP and any associated sewerage reticulation, including pumping stations, as well as from major road corridors, ensure existing sensitive receivers in the area are protected from adverse cumulative impacts from dust and airborne particulates associated with the proposal, and deliver well-designed interfaces between residential uses and the STP and any associated sewerage reticulation (including pumping stations), as well as major roads to minimise potential impacts on residential amenity. 	Section 2.26-2.38 & Table 5 of the Modification Report
EPA 1(b).	<p>The EIS should include an Air Impact Assessment that:</p> <ul style="list-style-type: none"> assesses likely odour impacts from the STP and any associated reticulation infrastructure including pumping stations on future residential receivers in Ocean Ridge, undertaken in accordance with the Technical framework: Assessment and management of odour from stationary sources in NSW (EPA). This should set out mitigation measures including, but not necessarily limited to, a precinct design that provides the necessary distance of separation between the STP and future sensitive receivers in Ocean Ridge, and assesses air quality impacts from roads having regard to the State Environmental Planning Policy (Transport and Infrastructure) 2021 and supporting Development Near Rail Corridors and Busy Roads—Interim Guideline (Department of Planning, 2008). 	Appendix K
	Water Quality	
EPA 2(a).	<p>The Concept Plan should deliver the following environmental outcomes:</p> <ul style="list-style-type: none"> no pollution of surface waters, maintain, improve or restore water quality and waterway health, supporting ongoing improvement in the health of waterways and meeting the NSW Water Quality and River Flow Objectives (Objectives), and implement integrated water cycle management principles, including sustainable water supply, wastewater and stormwater management and reuse and recycling initiatives where safe, practicable and this provides the best environmental outcome. 	Appendices K & M
EPA 2(b).	<p>The EIS should include a contemporary Water Management Strategy that:</p> <ul style="list-style-type: none"> identifies the ambient Objectives and environmental values for the receiving waters affected by the development and demonstrates how the proposal will achieve, or contribute toward achievement of, these Objectives for receiving waters, assesses the potential impact of the development on the environmental values of the receiving waterways consistent with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG, 2018), where relevant, proposes practical, reasonable and cost-effective measures to further minimise and mitigate any identified risks of impacts of the land-use activity having regard to the above documents and the Risk-Based Framework for Considering Waterway Health Outcomes in Strategic Land-Use Planning Decisions (OEH and EPA, 2017), and assesses and mitigates any stormwater related impacts during construction having regard to the Managing Urban Stormwater: Soils and Construction. 	Appendices L & X
	Sewage Management	
EPA 3(a).	<p>The Concept Plan should deliver environmental outcomes to ensure that the capacity of local sewage infrastructure can cater for population growth resulting from the development of Ocean Ridge.</p>	Appendix N
EPA 3(b).	<p>The EIS should document information on whether the local sewage infrastructure has capacity to meet the expected population growth so its environmental performance will not be compromised. This should include written advice from the local water utilities provider. To assess any environmental risks associated with any additional load on the reticulation system, information should also be sought that demonstrates:</p> <ul style="list-style-type: none"> utilisation of all reasonable and feasible measures (for example, wastewater reuse and recycling) to minimise additional sewage effluent loads from the STP to waters; and 	Appendix N

NSW EPA REQUIREMENTS (letter dated 13 September 2023)		
	<ul style="list-style-type: none"> there is no increase to existing levels (that is, frequency and volume) of pollution of waters, as a result of sewage overflows from the reticulation network during dry weather or wet weather. 	
EPA 3(c).	Any new sewage reticulation and associated pumping stations in relation to the proposal should be designed, operated and maintained so there is no pollution of waters during dry weather while overflows during wet weather should be avoided wherever reasonably practicable.	
EPA 3(d).	To address any capacity and performance related issues the proponent may wish to consider a staged approach to the proposed development, to allow for STP upgrades to be made. Careful planning and consideration of current and future STP capacity can mitigate the risk of overflow and subsequent pollution events.	
Noise Impacts		
EPA 4(a).	<p>The Concept Plan should deliver environmental outcomes to prevent land use conflict by ensuring noise emissions do not cause adverse impacts upon future sensitive receivers in Ocean Ridge. The proponent should apply the following hierarchical approach to noise control to mitigate this risk:</p> <ul style="list-style-type: none"> spatial separation of incompatible land use through appropriate placement of activities to minimise noise-related land use conflicts, minimising noise emissions at the source through best practice selection, design, siting, construction and operation as appropriate, and reducing noise impacts at receivers through best practice design, siting and construction. " 	Appendix AA
EPA 4(b).	<p>The EIS should include a contemporary Noise Impact Assessment that:</p> <ul style="list-style-type: none"> details all residential or noise sensitive premises likely to be impacted by the development, assesses likely noise impacts on future sensitive receivers in Ocean Ridge in accordance with the Noise Policy for Industry (EPA, 2017), State Environmental Planning Policy (Transport and Infrastructure) 2021, Development Near Rail Corridors and Busy Roads—Interim Guideline (Department of Planning, 2008) and NSW Road Noise Policy (EPA, 2011), and assesses any construction noise related impacts in relation to the delivery of infrastructure having regard to the Interim Construction Noise Guideline (DECC), and outlines measures to mitigate these impacts. 	Appendix AA
Contaminated Land Management		
EPA 5(a).	The Concept Plan should ensure any contaminants are assessed and managed so that the land is suitable for its proposed use. In cases where land is potentially contaminated, investigation and remediation work must be carried out in accordance with guidelines made or approved by the EPA under s 105 of the <i>Contaminated Land Management Act 1997</i> , the <i>Contaminated Land Management Regulation 2013</i> and the <i>State Environmental State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP).	Appendix K
EPA 5(b).	<p>The EIS should:</p> <ul style="list-style-type: none"> demonstrate that the site is suitable (or will be suitable, after remediation) for the intended site use, having regard to the requirements of the <i>Resilience and Hazards SEPP</i> and previous land uses (see Planning Guidelines: SEPP 55 – Remediation of Land (EPA, Department of Urban Affairs and Planning, 1998)), consider any ecological and human health risks posed by any contamination present, in the context of past, existing and future land uses, consider whether any contamination present requires notification to the EPA under s 60 of the <i>Contaminated Land Management Act 1997</i>, or if any remediation required should be subject to a development application, and include a contemporary Detailed Site Investigation (DSI) including collection of new, representative environmental samples to confirm the presence or absence of contamination in the concept plan area. The DSI must be undertaken in accordance with the Consultants Reporting on Contaminated Land: Contaminated Land Guidelines (EPA, 2020). 	Appendix K
Waste Management		

NSW EPA REQUIREMENTS <i>(letter dated 13 September 2023)</i>		
EPA 6(a).	<p>The Concept Plan should deliver the following environmental outcomes:</p> <ul style="list-style-type: none"> provide waste management strategies to achieve the waste management hierarchy of, in order of preference: <ul style="list-style-type: none"> avoidance of unnecessary resource consumption, resource recovery (including reuse, reprocessing, recycling and energy recovery), disposal, and incorporate best practice in the design, establishment, operation and ongoing management of waste and recycling services in residential developments. 	Section 2.26-2.38 & Table 5 of the Modification Report.
EPA 6(b).	<p>The EIS should include a Waste Management Plan (Plan) to identify, quantify, classify and lawfully manage the likely waste streams to be generated during construction and operation. The Better practice guide for resource recovery in residential developments (EPA, 2019) should guide the development of this Plan.</p> <p>There are a range of waste management guidelines to assist in developing this Plan that should be consulted. These are included in Attachment B and can be obtained here.</p>	Section 2.26-2.38 & Table 5 of the Modification Report

HERITAGE NSW REQUIREMENTS <i>(email dated 30 August 2023)</i>		
	Aboriginal Cultural Heritage (ACH)	
Heritage 1(a).	Heritage NSW recommends that the SEARs be revised and updated to reflect current Heritage NSW guidance material.	Note
Heritage 1(b).	<p>Heritage NSW recommends that the following SEAR's be included with respect to Aboriginal cultural heritage (ACH).</p> <ul style="list-style-type: none"> • Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR), prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts to Aboriginal cultural heritage sites or values associated with the site. • The ACHAR must be prepared in accordance with the <i>Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW</i> (OEH, 2011) and the <i>Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW, 2010), including results of archaeological test excavations (if required); • Include evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (DECCW, 2010). 	Appendix M

ESSENTIAL ENERGY REQUIREMENTS (email dated 29 August 2023)		
	General Comments	
EE 1.	As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision.	Appendix N
EE 2.	If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.	Appendix N
EE 3.	Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.	Noted
EE 4.	Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.	DA Condition
EE 5.	In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as <i>ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure</i> .	DA Condition
EE 6.	Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of <i>Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW)</i> .	DA Condition
EE 7.	Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the <i>Code of Practice – Work near Overhead Power Lines</i> and <i>Code of Practice – Work near Underground Assets</i> .	DA Condition

EUROBODALLA SHIRE COUNCIL REQUIREMENTS (email dated 12 September 2023)		
	Eurobodalla Shire Council Requirements	
ESC 1.	There are proposed lots to the south of the development footprint within the infrastructure buffer for Council's sewage Treatment plant. This is not supported, see clause 6.13 of the <i>Eurobodalla LEP 2012</i> .	Appendix J
ESC 2.	There is an existing reservoir that may need to be augmented or replaced to assist with capacity at the site and additionally assist with providing enough head for water pressure, i.e. some of the lots would not be serviced by the existing reservoir. Discussions should be had with Councils Water and Sewer Department to determine specific requirements. The capacity has been modelled and it is generally known what is required but these need to be specifically agreed between Walker Corporation and Eurobodalla Shire Council.	Appendix Y
ESC 3.	Traffic assessment including the identification of the road hierarchy and specific road treatments/typologies.	Appendices J & O
ESC 4.	Bushfire risk assessment in accordance with Planning for Bushfire Protection guidelines 2019. Specific identification of APZ areas and land ownership. No APZ's to be on public land.	Appendix H
ESC 5.	Biodiversity assessment in accordance with the obligations under the <i>Biodiversity Conservation Act 2016</i> . – Biodiversity Development Assessment report	Appendix I
ESC 6.	Identification of key feature trees in landscape, ability and to retain and layout of lots demonstrating appropriate location for retention of trees, i.e. not with the inner protection area of lots.	Appendix R-1
ESC 7.	Proposed public open space areas and shared pathway network including any proposed community infrastructure, i.e. playgrounds, BBQ area, shelters, etc.	Appendix Q
ESC 8.	Discussion with local bus operators and identification of proposed bus route, bus shelters, etc.	Appendix O
ESC 9.	Identify proposed entry and exit points to George Bass Drive including any new intersections.	Appendix O
ESC 10.	Identification of any proposed commercial/ retail floor area	Section 2.21 and Table 3 of the Modification Report
ESC 11.	Plan set with overlay showing the development footprint and layout in comparison with the existing approved layout and footprint.	Figure 5 & Appendix J in Modification Report
ESC 12.	Identification of riparian corridors, revegetation plans and land ownership identification.	Appendix J
ESC 13.	Identified water quality objectives and retention/ treatment of stormwater.	Appendix L

NSW RURAL FIRE SERVICE REQUIREMENTS <i>(letter dated 20 September 2023)</i>		
RFS 1.	<p><u>Bushfire Assessment Report</u></p> <p>A bush fire assessment report shall be prepared which identifies the extent to which the proposed development conforms with or deviates from the relevant provisions of Planning for Bush Fire Protection 2019.</p>	Appendix I
RFS 2.	<p><u>Perimeter Road</u></p> <p>RFS recommend that prior to further environmental studies being commissioned the Concept Plan be revised to include a perimeter road network to separate bush land from all residential lots.</p>	Appendix I
RFS 3.	<p><u>Environmental Studies – Consultation</u></p> <p>RFS request that consultants engaged to carry out environmental studies, in particular Flora & Fauna Assessment; Ecological & Conservation Assessment; Traffic & Transport Assessment, work in unison with Bush Fire Protection Assessment to ensure consistent assessment between reports. Bush Fire Protection Assessment is to consider the final vegetation fuel loads, where applicable, within Stewardship sites following the completion of revegetation measures required by any future Vegetation Management Plan.</p>	Appendix I
	<u>Additional Comments</u>	
RFS 4.	Any future development of the site that may be defined as a Special Fire Protection Purpose facility will be required to comply with Tables 6.8a and 6.8b of PBP 2019.	Appendix I & Future DAs
RFS 5.	The capacity for the proposed, and existing, road network to deal with evacuating residents and responding emergency services, based on the existing and proposed community profile should be addressed.	Appendix I
RFS 6.	<p>Servicing and infrastructure delivery for the proposal should include the consideration of operational response for emergency services. In considering future operational fire fighting infrastructure, the proponents should;</p> <ul style="list-style-type: none"> • identify what proposed servicing arrangements are required for the future development; • identify whether proposed servicing arrangements for the development are practical; and • discuss any issues that may result from the interplay of service delivery options. 	Appendix Z