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The General Manager
Coffs Harbour City Council
Locked Bag 155
Coffs Harbour NSW 2450

Your Ref: MP08_0005
Our Ref: S08/0041
DA08091254345 MM
ID:54345/67801/5

ATTENTION: Sebastian Tauni

22 October 2010

Dear Sir / Madam

Part 3A Development for 8 Hearn's Lake Road Woolgoolga

I refer to your letter dated 13 September 2010 seeking key issue and assessment requirements regarding bush fire protection for the above Part 3A Development in accordance with section 75F (4) of the 'Environmental Planning and Assessment Act 1979'.

The Service has reviewed the environmental assessment and the following conditions are recommended:

This letter is in response to a further assessment of the application submitted and supercedes our previous key issue and assessment requirements regarding bush fire protection dated 17 September 2008.

1. At the commencement of building works and in perpetuity the property to the south or proposed Lots 14, 22, 23, 31, 32, 40, 41, 49, 50, 59 and 60 to a distance of 30 metres, shall be maintained as an asset protection zone (APZ) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. (Note: in forested areas a portion of the APZ may be maintained as an outer protection zone as specified in Table A2.7 of 'Planning for Bush Fire Protection 2006').
2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush fire Protection 2006'.
3. Internal roads shall comply with section 4.2.7 of 'Planning for Bush fire Protection 2006'.

4. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush fire Protection 2006'.
5. New construction within the long term caravan sites shall comply with Table 2.4.3 of Australian Standard 3959-2009 'Construction of buildings in bushfire prone areas' and section A3.7 Addendum Appendix 3 of 'Planning For Bush fire Protection'.
6. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Michael Murrell on 8741 5175.

Yours sincerely

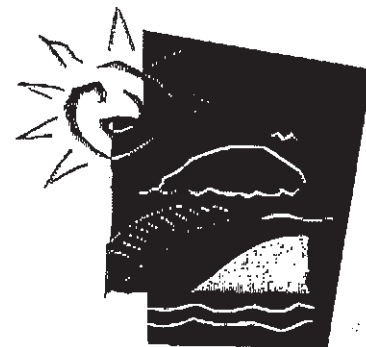


Corey Shackleton

A/Team Leader Development Assessment and Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006' , visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.

COFFS HARBOUR CITY COUNCIL



Our ref: 2635131 (DA 260/11)

28 October 2010

Mr Sebastian Tauni
NSW Planning
GPO Box 39
SYDNEY NSW 2000

Dear Mr Tauni

**MP 08-0005, The Pines Caravan Park
Lot 106, DP 1144462, No. 8 Hearnese Lake Road, Woolgoolga**

Council refers to the above Major Project Application and to the Department's request for comments on the Environmental Assessment.

Council is not in a position to issue draft conditions on the application until a number of matters are resolved, including:

- Clarification of the "land to be developed", ie. does the proposal include the adjoining public reserve? Has Council's formal agreement to the use of this area been issued?
- Has the Department of Lands imposed any requirements relating to Hearnese Lake Road?
- Clarification of land title details.
- Agreement from the proponent to resolve outstanding matters relating to Development Consent 207/76 modification of 7 August 2008.
- Further review of acoustic impacts on the whole of the site, and not just the extension.
- Further review of the ecological impacts of the proposal including buffers to the waterway to conform to the requirements of the Hearnese Lake / Sandy Beach DCP, the Ecological Issues Assessment Report, the Ecological Assessment and the Vegetation Management Plan.

Please find attached Council's further detailed comments on the Environmental Assessment.

For further information please contact Mark Hannon on (02) 6648 4631.

Yours faithfully


Mark Hannon
Project Manager Development

njj

• Communications to: The General Manager, Locked Bag 155, Coffs Harbour 2450 • Administration Building,
2 Castle Street, Coffs Harbour • Tel: (02) 6648 4000
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Major Project MP 08-0005 The Pines Caravan Park

Owners Consent and the land the subject of the proposed development:

The proposal relies upon offsetting within the adjacent Council public reserve. No formal approval has been provided for this arrangement from Council. The proponent should consult with Council's Recreation Services Section on this aspect and amend the application accordingly.

Access – Highway:

The site is in the immediate vicinity of current Pacific Highway upgrading works. The requirements of the Roads & Traffic Authority for interim and long term access to the site is a relevant consideration.

Services:

The Environmental Assessment is acceptable to Council in terms of proposed services and may be conditioned accordingly.

Acid Sulfate Soils:

The Acid Sulfate Soils report is considered satisfactory. The consent may be conditioned accordingly.

Phase 1 Environmental Site Assessment:

The Phase 1 Environmental Site Assessment report is considered satisfactory. The consent may be conditioned accordingly.

Hearnes Lake Road:

Hearnes Lake Road is a Crown Road and is not a "Council public road". It is likely that the Department of Lands will require transfer of this road to Council as "public road". Council is agreeable to this arrangement subject to certain conditions.

Further, upgrade of the Hearnes Lake Road frontage of the site is warranted. The consent may be conditioned accordingly.

Pedestrian and Public Transport Arrangements:

The Environmental Assessment makes an erroneous presumption that most residents would be using their cars, and further that no persons are catching a bus from the existing bus shelter so is therefore not required. In fact school students and other local residents do catch the bus at the Highway intersection. The proposal should provide for a cycleway along Hearnes Lake Road from the caravan park to the future collector road intersection and should provide an accessible bus stop/shelter on Hearnes Lake Road.

The consent may be conditioned accordingly.

Consolidation Requirement and Title Details:

The Environmental Assessment describes the site as Lot 2, DP 1031068 and Lot 2, DP 1031968. It is understood that part of the site has been acquired by the RTA for the Pacific Highway upgrade. Consequently the title has changed to effect this acquisition.

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The development should be contained to the one lot (note, this may have occurred as part of the RTA acquisition process).

The Environmental Assessment needs amendment to reflect current property title arrangements. Note the previous comments concerning the adjoining public reserve forming part of this Major Project Application.

Fire Safety:

The **whole** of the caravan park (including existing sites) should be upgraded to satisfy the fire safety provisions of the NSW Rural Fire Service and the provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings) Regulation 2005. The consent may be conditioned accordingly.

Modification of Development Consent 207/76 dated 7 August 2008:

13 manufactured home sites were established at this caravan park without a requisite approval having issued beforehand. 4 of those sites were located on land zoned Environmental Protection 7A Habitat and Catchment. Council issued a modification to the 1976 consent to regularise the unlawful activity. The terms of the modification determination have not been satisfied to date.

Any consent to the current Major Project Application should include the terms of the modification determination (copy attached) of 7 August 2008.

Acoustic:

The proponent should address acoustic impacts for the total site, not just the extension. The acoustic report should determine and specify the location, height and construction of the acoustic barrier for the western site boundary and **not** for just a part of this boundary.

Further, any replacement manufactured home proposed for the existing 115 long term sites should conform to the construction requirements of the Reverb Acoustics report. The Environmental Assessment should detail the above requirements and also detail the methodology to ensure that "attenuated" manufactured homes are established at the caravan park post this Major Project approval.

Developer Contributions (Section 94) and Developer Services Charges (Water Management Act 2000):

The new development is subject to the application of developer contributions and developer services charges as a result of additional demands for services and infrastructure. As the existing sites are to be connected to reticulated services the existing sites are also subject to payment of developer services charges. The consent may be conditioned accordingly.

Ecological Issues:

1. The proponent needs to clarify the proposed location of the caravan park expansion relative to the Hearn's Lake / Sandy Beach DCP in terms of adherence to a buffer to the waterway of 50 meters measured from contour 3.5m AHD, this buffer excluding any Asset Protection Zone. This buffer requirement is likely to impact on sites 49, 50, 59 and 60.

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2. The following issues are raised with respect to the **Ecological Issues and Assessment Report and the Ecological Assessment.**

- No clear strategy exists for the treatment or protection of hollows (tree 234-7 hollows & unidentified tree 2 near incised channel). Information supplied is inconclusive and not inbuilt into the VMP, no plan from a qualified arborist as per Australian Standards has been supplied or evidence of negotiations with the RTA.
- No clear amelioration strategy or discussion has been presented of the impacts of clearing resources on site, including:
 - Time lapse in resources being available for threatened species onsite from removal to maturity of offset.
 - Increased habitat viability e.g. hollow dependant species on site.
 - Seasonal resources availability or proposed lack of, with removal of swamp sclerophyll components as part of the proposal. This is not part of the threatened species considerations.
 - The description of vegetation as sub-optimal habitat...but the presence of the fauna would indicate activity.
 - fauna activity level is not considered in a reasonable scientific based argument, or
 - on the restricted viable habitat (noted in the report), or
 - linkages to large tracts of land on the eastern sector, or
 - the availability of resources extending off site...not just those to be impacted by the RTA Pacific Highway upgrade.
 - Advice that the site contains little to no resources including hollows – the discussion should be reviewed due to the fact that the squirrel glider (one detected – does a family group occupy the area?) was located just after dusk on a tree containing a hollow onsite – is the area being used as denning? The assessment of impacts for habitat tree removal needs review.
 - The “use of the site by microbats” has limited consideration.
 - Removal of seasonal flowering resources present on site is not discussed or presented within the VMP.
- A nomination of what is a reasonable offset; level of retention of recruitment trees is not considered with the reports. Offsets considered in the current design include currently forested areas of the adjoining CHCC reserve or areas of retained canopy.
- Advice that trees will be retained within the development site with little information on location, assessment including arborists report, future protection and management.
- The application fails to maintain resourcing levels present on site or present viable offsets under the current design.
- The removal of resources present on site is likely to result in irreversible impacts on the threatened species on site.
- The role and function of current & future habitat corridors / connections should be more comprehensively addressed.

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The following issues are raised with respect to the Vegetation Management Plan:

- The plan fails to note the level of tree removal, provision of offsets under Council's planning documents including the KPOM, Draft Vegetation DCP etc.
- Limited species lists have been presented in the VMP with no discussion on the plant community targets.
- Design of isolated clump plantings may allow encroachment in the outer APZ if canopy separation complies with Planning for Bushfire Protection Guidelines 2006.
- Improvement programs will only account for a small % of offset with no replacement of canopy trees.
- Any APZ arrangement to inclusion in the Council reserve is to be determined in consultation with Council's Recreation Services Section.

3. The following issues are raised as recommended amendments to the Vegetation Management Plan (VMP):

- Two VMP's are required – one to cover works on private land and a separate VMP to cover works in the public reserve.
- Zone 4 works proposed must be consistent with Council's current APZ requirements in relation the Public Reserve.
- If offsets occur in Reserve, VMP would need to clearly delineate all works within the reserve, in terms of initial works, maintenance works and costing.
- The report notes retention of some trees within the landscape (inside the development area) these are to be included within the Vegetation Management Plan.
- The developer would need to pay to Council the cost of the outstanding maintenance works identified within the VMP that relate to the public reserve. This would be required prior to occupation of any of the new sites.
- Notation of replacement plants in case of deaths should be covered within the budget applied to CHCC as a bond.

Further information is required to be provided with the Environmental Assessment prior to Council being satisfied that the proposal is acceptable on ecological considerations; two Vegetation Management Plans are necessary (a private land VMP and a public reserve VMP).

Caravan Park / Public Reserve Interface:

The proponent should detail fencing arrangements to delineate the caravan park / public reserve boundary, fencing type and location to be determined in consultation with Council's Recreation Services Section. The consent may be conditioned accordingly.

Our Ref: 1620409 (P/N 2203875; DA 207/76)

7 August 2008

The Secretary
Coastplan Consulting
PO Box 6179
KINCUMBER NSW 2251

Dear Sir/Madam

**Approval to variation of Development Consent No. 207/76
Lot 2, DP 1031968, Hearn's Lake Road, Woolgoolga**

Reference is made to your application dated 7 December 2006 in respect of the above matter.

In accordance with Section 96 of the Environmental Planning and Assessment Act, (1979), Development Consent No. 207/76 is amended by the following:

Sites 25, 27, 29 and 31

- A. The existing relocatable homes and associated outbuildings, structures, services, parking, etc located on Sites 25, 27, 29 and 31 as shown on drawing 09-11-06 "The Pines and Waterside Cabins Community Plan" being removed by no later than 1 April 2011. These sites shall revert to an environmental buffer area.
- B. Where the relocatable homes are relocated to within this caravan park notice of the installation of the homes and/or associated structures being submitted to Council in accordance with Clause 160 of the Local Government (Manufactured Home Estates Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995.
- C. Submission to Council for approval of a Vegetation Management Plan (VMP) covering Sites 25, 27, 29 and 31 by no later than 1 January 2011. The VMP shall be prepared by persons with professional qualifications and/or knowledge and experience in bush regeneration and who are members of the Australian Association of Bush Regenerators (AABR). The VMP must:
 - (i) Include a site plan at basic scale identifying the rehabilitation area.
 - (ii) Include a plan showing contours, perimeter roads, Asset Protection Zones, identify and map all native vegetation, including abundance codes and outline the methodology for removal and ongoing management of all noxious weeds.

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- (iii) Detail plantings, to include local provenance species, densities, zonation of plantings, quantities.
- (iv) Include costing in table format of initial works required and required maintenance works required for rehabilitation for 5 years.
- (v) Include information regarding the timing of the works.

The approved VMP works (initial works) must be completed by no later than 3 months following site vacation. Where the sites are vacated on a staged basis the VMP works are to be undertaken on a site by site basis (the initial works to be completed for each site within 3 months of site vacation).

A certificate of satisfactory compliance detailing accordance with the VMP of the initial works is to be submitted to Council by the bush regeneration consultant within one month of the completion of the initial VMP works for all sites.

Bushfire Risk

- D. Sites 8 – 24 and 25, 27, 29, 31 (up until the removal of relocatable homes from sites 25, 27, 29 and 31) shall be managed as an *"Inner Protection Area"* as outlined in *"Planning for Bushfire Protection 2006"*.
- E. The relocatable homes on sites 8 – 24 and 25, 27, 29, 31 are to fully comply with the requirements of Level 1 construction as required by Australian Standard AS 3959-1999 *"Construction of Buildings in Bushfire Prone Areas"*. Particular attention to the use of exposed timbers, understorey protection against ember attack and outward opening doors/windows that cannot be screened on the outside is required.
- F. Roofing of relocatable homes on sites 8 – 24 and 25, 27, 29 and 31 shall be gutterless or have leafless guttering and valleys which are to be screened with non-corrosive mesh to prevent the build up of flammable material. Any materials used shall have a Flammability Index of no greater than 5.
- G. Internal access roads (from the main entry to the southern part of the site) shall comply with Section 4.2.7 of *"Planning for Bushfire Protection 2006"*.
- H. Hydrants shall be installed in accordance with Australian Standard AS 2419-2005. Locations of fire hydrants are to be delineated by blue pavement markers offset 100mm from the centre of the road. The direction of offset shall indicate on which side of the road the hydrant is located.

Where the existing reticulated water supply is not compliant or is considered unreliable, then a 5000 litre dedicated water supply tank (non-flammable or shielded from the threat) shall be provided for each existing dwelling for fire fighting purposes. A 65mm Storz outlet with a gate or ball valve shall also be provided to each tank.

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Separate approval shall be obtained from Coffs Harbour Water prior to installation/amendment to the existing hydrant system or for the installation of the "dedicated water supply tank(s)".

- I. Works specified in conditions D, E, F, G and H, above, being completed within 180 days of the date of this determination, with the Bushfire Assessment Planning Consultant providing a report to Council confirming compliance with the terms of these conditions (D – H) within one month of the completion of the works.
- J. A Bush Fire Management Plan (BFMP) is to be prepared for the site. The BFMP is to address the following requirements and be prepared by the Bushfire Assessment Planning Consultant.
 - a) Contact person/department and details.
 - b) Schedule and description of works for the construction of Asset Protection Zones and their continued maintenance.
 - c) Management strategies, proposed schedule and description of works of any remnant bushland within the property boundary.
 - d) Details of access through any gate/fire trail system for remnant bushland areas.
 - e) Review period and reporting changes of contact details.
 - f) Reporting of works completed.

A copy of the BFMP is to be submitted to Council within 180 days of the date of this determination.

- K. An Emergency Evacuation Plan is to be submitted to the NSW Rural Fire Service - Local District Office. The evacuation plan is to detail the following:
 - a) Under what circumstances will the complex be evacuated.
 - b) Where will all persons be evacuated to.
 - c) Roles and responsibilities of persons co-ordinating the evacuation.
 - d) Roles and responsibilities of persons remaining with the complex after evacuation.
 - e) A procedure to contact the NSW Rural Fire Service District Office/NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

This Plan is to be submitted to the Rural Fire Service Local District Office within 180 days of the date of this determination.

Sites 8, 10, 12, 14, 16, 18, 20, 22, 24

- L. Notice of installation of relocatable homes and/or associated structures being submitted to Council in accordance with Clause 160 of the Local Government (Manufactured Homes Estates Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 for the above sites (except where already received by Council).

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Community Map

- M. Submission of an amended "*Community Map*" to Council in accordance with Clause 125 under the Local Government (Manufactured Homes Estates Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

Stormwater Management

- N. Removal of all stormwater drainage pipes from Council's reserve within 180 days of the date of this determination, with the submission of details to Council for approval of an alternate drainage/dispersal system for road runoff prior to works commencing. New drainage works are to comply with the approved plans. The drainage works are in the vicinity of the Managers Residence (installed by previous owner without Council approval).

Development Consent 207/76

- O. This conditional approval to the application for modification of Development Consent 207/76 shall be read in conjunction with the terms and conditions of Development Consent 207/76 dated 26 May 1977.

Modification application

- P. This application for modification of Development Consent 207/76 references:
- Statement of Environmental Effects December 2006 prepared by Coastplan Consulting.
 - Plan 09-11-06 "*The Pines and Waterside Cabins Community Plan*".
 - Bushfire Assessment November 2006 prepared by Australian Bushfire Consultants.
 - Correspondence from Coastplan Consulting dated 22 January 2008.
 - Correspondence from NSW Rural Fire Service dated 14 May 2007.

Section 96(6) of the Environmental Planning and Assessment Act (1979) confers a right of appeal to the Land and Environment Court on any applicant dissatisfied with a decision of Council under that Section. Appeal forms are available from any Court House.

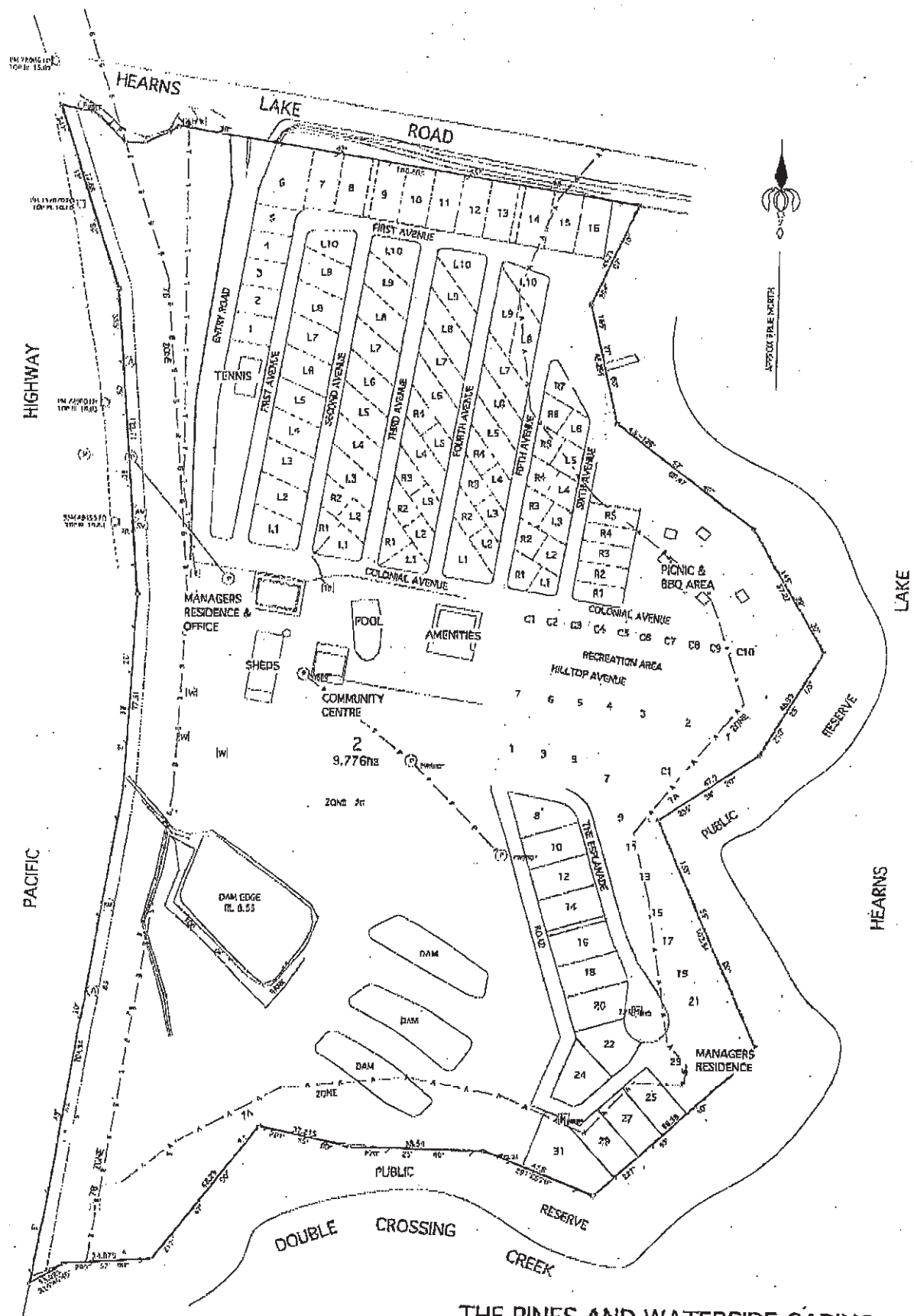
For further information please contact Mark Hannon on (02) 6648 4631.

Yours faithfully

PM Salter
Director
Land Use, Health and Development

per:

MSH:njj



**THE PINES AND WATERSIDE CABINS
COMMUNITY PLAN (09-11-06)**



Mr Alan Bright
A/ Director
Regional Projects
Planning NSW
GPO Box 39
SYDNEY NSW 2001

Far North Coast
Level 1, 76 Victoria Street
PO Box 272
GRAFTON 2460
T (02) 6640 3400
F (02) 6642 5375
www.lpma.nsw.gov.au

Our reference: 10/09942
Your reference: MP08_0005

3 November 2010

Attention: Mr Sebastian Tauni

Dear Mr Tauni,

Re: Proposed Extension to Existing Caravan Park at Lot 2 DP1031068 and Lot 2 DP1031968 – ‘The Pines’ 8 Hearnese Lake Road, Woolgoolga MP08_0005

I refer to your letter dated 13 September 2010 inviting comments from the Land and Property Management Authority (LPMA) in relation to the abovementioned major project application and accompanying environmental assessment (EA), as lodged by AWP Holdings Pty Ltd (the Proponent). Thank you for the opportunity to provide comments.

The Subject Site

- LPMA records suggest the Subject Site encompasses Lot 106 DP1144462 and not Lot 2 DP1031068 and Lot 2 DP1031968 as indicated in the EA.

Adjacent or Proximate Crown Lands

- The beds of Hearnese Lake and Double Crossing Creek below mean high water mark (MHWM), to the east and south of the Subject Site respectively are Crown lands. The water column constitutes part of the Solitary Islands Marine Park and is managed by the Marine Parks Authority NSW.
- Prior consent will be required from LPMA for any works on the beds of Hearnese Lake or Double Crossing Creek below MHWM.
- Hearnese Lake Road to the north and north east of the Subject Site is a Crown public road.
- It is proposed to transfer a section of this road (not amounting to a width greater than 20m from the southern boundaries of Lots 4, 5, 6 and 7 DP612977, Lots 31 and 32 DP1047234, Lot 1 DP253878, Lots 201 and 202 DP1066412, and Lot 21 DP714858) to Coffs Harbour City Council (CHCC) as a Council public road as part of the approved residential subdivision of 45 Hearnese Lake Road (Lot 21 DP714858) (MP07_0075).
- Until this transfer is effected, please ensure the Proponent does not undertake any activity on, or use Hearnese Lake Road for, any purpose associated with the proposed development.
- Specifically, the Proponent may not:
 - encroach upon the road;
 - remove any vegetation from the road;
 - stockpile any materials or store any equipment, plant or machinery on the road;
 - discharge stormwater onto the road; or

- use the road as an asset protection zone (APZ), whilst it remains a Crown public road.

Hearnes Lake Road Public Recreational Area

- A public recreational area, consisting of a car park, picnic facilities, and pedestrian and vehicular access to Hearnes Lake Beach and Hearnes Lake, is located at the eastern end of Hearnes Lake Road.
- A pathway and footbridge provide pedestrian access along Hearnes Lake Road from the Subject Site to this area (refer 'DA-03 Site Analysis Plan' – "Existing Beach Access & Lake").
- Vehicular access is also provided along Hearnes Lake Road.
- It can be reasonably expected a development of the nature proposed will lead to an increase in the use of this area, as well as of that section of Hearnes Lake Road abutting the northern foreshore of Hearnes Lake (which will be retained as Crown land under any partial road transfer to CHCC).
- It is claimed on Page 85 of the EA *"A review of the existing permanent accommodation within the park indicates that the proposed development of 60 additional permanent sites will increase the permanent population of the caravan park by approximately 100 people"*.
- It is considered the EA does not adequately address the likely impacts a future expanded resident population may have on the public recreation area and residual section of Hearnes Lake Road through increased visitation and usage.
- LPMA would consequently welcome an opportunity to discuss the implications of the proposal for the future management of the public recreational area and residual section of Hearnes Lake Road in more detail with the Proponent.

Vegetation Management Plan

- The Vegetation Management Plan (VMP) in Appendix 9 ('Ecological Issues and Assessment Report: Appendix C Vegetation Management Plan for the Project') appears quite detailed.
- It is unclear then why it is referred to in the EA as a "Vegetation Management Principles Plan" (Page 58). This title suggests the VMP may not be implemented as it is presented in Appendix 9.
- It is claimed on Page 6 of the EA *"... sites 25, 27, 29 and 31 will be revegetated as an offset to the removal of vegetation that results from the current proposal"*.
- Given these sites were originally established without consent, it is considered unreasonable their revegetation be nominated as an offset for the clearing of existing native vegetation proposed under the current proposal.
- LPMA does not support nominating the revegetation of the sites as an offset for the clearing of existing native vegetation elsewhere on the Subject Site.

Buffer to Hearnes Lake

- It is noted stormwater and sewerage infrastructure and elements¹ of a 30m wide APZ are located within the 50m buffer to the RL 3.5 Australian Height Datum (AHD) contour.
- The placement of infrastructure in the buffer appears inconsistent with the provisions of the 'Hearnes Lake Estuary Management Plan' (EMP) and 'Hearnes Lake/ Sandy Beach Development Control Plan' (DCP).
- Additionally, the DCP distinguishes between bushfire buffers or APZs and environmental protection areas (that is, bushfire buffers are not included in environmental protection

¹ A 15m wide Outer Protection Area (OPA) and part of a 15m Inner Protection Area (IPA). The IPA will be maintained as an open mown area while the OPA shall consist of indigenous tree plantings and a mown understorey (Page 9 of VMP).

areas, which, under the DCP, are synonymous with the 50m buffer to the RL 3.5 AHD contour).

- Given it is acknowledged:
 - the proposed dwelling density on the Subject Site (one dwelling per 543m²) is below the maximum density of one dwelling per 200m² stipulated in the 'Residential Tourist Lands Development Control Plan'; and
 - the total number of visitor car parks on the Subject Site (26) exceeds the minimum of 18 specified in the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*, it may be possible to reduce or re-position the development footprint to provide for further spatial separation of areas required for infrastructure/ the APZ and the 50m buffer.
- In any event, LPMA supports locating the infrastructure and APZ outside the 50m buffer to the RL 3.5 AHD contour, in line with the specifications of the EMP and DCP, to maximise protection of the environmental values of Hearn's Lake and Double Crossing Creek.

Flora and Fauna

- It is considered overly dismissive to suggest on Page 82 of the EA "... any indirect impacts (on the Sooty Oystercatcher and Little Tern) (resulting from human activities in Hearn's Lake) would merely increase, to an insignificant extent, existing activities and disturbance". This statement acknowledges there will be an increase but then ignores the contribution such an increase will make to medium-term cumulative impacts on local threatened species (especially when all the residential developments proposed around Hearn's Lake are considered).

Discrepancies in EA

LPMA has identified the following minor discrepancies in the EA:

- The Proponent states on Page 34 "*The caravan park dwelling sites will most likely be occupied by moveable dwellings ...*"; whilst on Page 46 they state "*The proposed development does not include the placement of any moveable dwellings*"; and
- On Page 38 it is claimed "*The proposed development does not incorporate any significant build components*", whereas on Page 40 it is claimed "*The proposed caravan park extension does not include any built component*".

Please feel free to contact me on (02) 6640 3436 or ian.hanson@lpma.nsw.gov.au if you have any questions or concerns in relation to these comments.

Yours sincerely,



Ian Hanson
Senior Environmental Officer
Crown Lands Division



Office of Water

Major Development Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Contact: Christie Jackson
Phone: 02 6701 9652
Fax: 02 6701 9682
Email: christie.jackson@water.nsw.gov.au

3 November 2010

Our ref: ER21200
Your ref: MP08_0005

Attention: Alan Bright

Dear Mr Bright,

**Subject: Environmental Assessment – 'The Pines', 8 Hearnese Lake, Woolgoolga
MP08_0005**

I refer to your letter dated 13 September 2010 seeking the NSW Office of Water's (NOW's) comments and recommended conditions on the Environmental Assessment (EA) for the proposed extension to 'The Pines' caravan park, 8 Hearnese Lane, Woolgoolga.

NOW has reviewed the Environmental Assessment and identified a number of issues that should be considered by the Department of Planning in its assessment of the project application. These issues are outlined in Attachment A.

NOW also provides recommended conditions of approval for consideration in Attachment B, should the Minister for Planning determine the application by granting project approval.

If you require further information please contact Christie Jackson on 02 6701 9652.

Yours sincerely,

Mark Mignanelli
Manager Major Projects and Assessment

MP08 0005 – 'THE PINES' CARAVAN PARK
NSW OFFICE OF WATER COMMENTS ON ENVIRONMENTAL ASSESSMENT

Groundwater:

The review of the EA has identified no major issues with the groundwater and acid sulfate soil issues across the project site.

NOW supports the de-commissioning of the on-site effluent disposal and agrees the proposal is going to be a major improvement for the environment.

Acid sulfate soils were not located on the project site however acid soils were identified during the geotechnical investigation. Although, currently there are no policy guidelines in New South Wales on how to deal with acid soils however due to the proximity of the site to Hearn's Lake, NOW recommends that the low lying areas where acid soils occur are neutralised by application of lime (as suggested in the geotechnical report). This should be incorporated as a requirement in the final approval, if issued by Department of Planning.

Since there were no acid sulfate soils located on the project area, filling of the effluent pond shouldn't be an issue even if it requires a short term de-watering of the pond (which is not stated in the report but may be considered). Filling of the pond would entail the removal of the pond sediments and clay layer, and the re-filling of suitable material to make the site stable.

The groundwater table is very shallow (i.e. 1.1 meters bgl) in some parts across the site. The proponent should be advised that if groundwater is encountered at any stage of the development the proponent will need to apply for a licence from NOW prior to any work commencing.

All works that intersect the aquifer must be licenced with NOW prior to any work being carried out. This includes for example, monitoring bores, groundwater excavations which include dewatering for the earthworks involving filling in the sewerage ponds, wells, spear points, bores, wick drain, trenches or any similar works to manage the groundwater.

Dewatering of groundwater may be required as part of the development. Any proposed dewatering for the earthworks involving filling in the sewerage ponds requires a licence under Part 5 of the *Water Act 1912* accompanied by a groundwater management plan.

Sewerage System:

The EA outlines the proponent proposes to connect to the Councils centralised sewer system and remove the current sewerage system on the site. The current sewerage system consists of gravity and rising mains which collect and transport wastewater to a series of on-site effluent settling ponds. The existing effluent ponds will be decommissioned and remediated. The removal of the current sewerage system on site is supported by NOW and will be an improvement for the surrounding local environment, in particular the sensitive waterbodies located adjacent to the site which can be affected by excess nutrients and faecal coliform contamination during wet periods.

Stormwater Management:

The EA outlines the stormwater treatment train will follow the principles of water sensitive urban design (WSUD) and will include inlet pit filter baskets, grassed lined swales, bio-retention trenches and grassed buffer strips. The EA considers on site detention is not required as stormwater will be treated to an appropriate standard with the WSUD measures outlined in the EA. It is considered water quality in Hearn's Lake will improve with appropriate stormwater

measures and by connecting to Council's sewerage system as no sewerage will overflow from the site during high rainfall/ runoff events.

Riparian Management:

The project site is located within the sensitive catchment of Hearn's Lake to the east, the Solitary Islands Marine Park and Double Crossing Creek to the south. Drainage from the site is predominately to the south-southwest of the site into Double Crossing Creek. It is important appropriate buffers are maintained on the site to protect adjacent watercourses and waterbodies from the caravan park extension. NOW supports the inclusion of a minimum 50m buffer from an RL Level of 3.5 around Hearn's Lake and Double Crossing Creek and the project site as outlined in Council's Hearn's Lake/ Sandy Beach Development Control Plan.

End Attachment A

3 November 2010

MP08 0005 – 'THE PINES' CARAVAN PARK
NSW OFFICE OF WATER RECOMMENDED CONDITIONS OF APPROVAL

1. All surface water and groundwater take must be authorised under and in adherence to relevant New South Wales water legislation and regulations:
 - a. The proponent must ensure all monitoring bores are licenced with the NSW Office of Water (NOW). All Form A's associated with the construction of bores must be submitted to NOW at the time drilling is undertaken. Where existing unauthorised bores have been constructed, the Applicant must formally advise NOW prior to the commencement of the project (if the project is approved by the Minister of Planning).
 - b. For all areas on the site that require dewatering, a water licence under Part 5 of the *Water Act 1912* must be obtained prior to commencement of work. The water licence application must be accompanied by a groundwater management plan developed to the satisfaction of NOW.
 - c. All works that intersect the aquifer must be licenced by NOW prior to any work being carried out. This includes for example monitoring bores, groundwater excavations which include dewatering for the earthworks involving filling in the sewerage ponds, wells, spear points, bores, wick drain, trenches or any similar works to manage the groundwater.
2. To aid in the protection of receiving water source quality, all stormwater runoff must be adequately treated at its source and/ or diverted through the stormwater treatment process designed for the site, prior to the stormwater being discharged to surface water and groundwater sources.
3. A minimum 50 metre vegetated buffer must be maintained between the development site and Hearn's Lake and Double Crossing Creek, as consistent with the Hearn's Lake/ Sandy Beach Development Control Plan.
4. Lime should be applied to neutralise acid soils in low lying areas, consistent with the recommendations outlined in the geo-technical report included in the Environmental Assessment.

End Attachment B
3 November 2010