

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate for the Minister for Planning, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Regional Assessments

Sydney 24 July 2018

SCHEDULE 1

Project Approval:	MP 08_0005 granted by the (then) Deputy Director-General, Development Assessments & Systems Performance
For the following:	Extension of the existing caravan park to include an additional 53 long term sites as well as associated infrastructure and amenities, re-vegetation and rehabilitation of native vegetation on the site, landscaping and removal of three existing effluent storage ponds and a water storage dam
Proponent:	AWP Holdings Pty Ltd
Approval Authority:	Minister for Planning
The Land:	Lot 106 DP 1144462, 8 Hearnese Lake Road, Woolgoolga, located in the Coffs Harbour Local Government Area.
Modification:	MP 08_0005 MOD 1: <ul style="list-style-type: none">• reduction in the number of long-term sites from 53 to 47• revised internal site layout

SCHEDULE 2

The Project Approval is modified as follows:

- (a) Schedule 2 – Administrative Conditions – Condition B1 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

B1. Development Description

Project approval is granted only to carrying out development described in detail below:

- a) Extension of the existing caravan park to include an additional ~~53~~ **47** long term sites as well as associated infrastructure and amenities
- b) re-vegetation and rehabilitation of native vegetation on the site
- c) landscaping
- d) removal of three existing effluent storage ponds and a water storage dam.

- (b) Schedule 2 – Administrative Conditions – Condition B2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

B2. Development in Accordance with Plans and Documentation

The Proponent shall carry out the project in accordance with:

- a) Major Project Application 08_0005
- b) The *Environmental Assessment for Major Project 08_0005 Proposed Extension to the Existing Caravan Park “The Pines”, 8 Hearnese Lake Road, Woolgoolga* prepared by Coastplan Consulting on behalf of the AWP Holdings Pty Ltd dated June 2010
- c) The *Preferred Project Report and Statement of Commitments in relation to Major Project 08_0005 Proposed Extension to the Existing Caravan Park “The Pines”, 8 Hearnese Lake Road, Woolgoolga* prepared by Coastplan Consulting on behalf of the AWP Holdings Pty Ltd dated December 2011
- d) The *Northrop Engineering Report for Part 3A Assessment, The Pines Hearnese Lake Road Woolgoolga*, NSW REF:NL080035E01. Dated 12 April 2012. REV C
- e) **The Section 75W Application, Submission to the NSW Department of Planning & Environment to modify the terms and conditions of MP 08_0005, Lot 106 DP 1144462, 8 Hearnese Lake Road, Woolgoolga prepared by Ardill Payne & Partners dated February 2018**

- f) The following drawings:

<u>Drawing No.</u>	<u>Revision</u>	<u>Name of Plan by Gateway Lifestyle</u>	<u>Date</u>
<u>01</u>	<u>A</u>	<u>The Pines Concept</u>	<u>26 February 2018</u>
<u>Drawing No.</u>	<u>Revision</u>	<u>Name of Plan by Urban Group</u>	<u>Date</u>
DA-04	D	Overall Site Plan, Detail Site Plan and Staging Plan	March 2009
C01DA	C	Concept Stormwater Plan	18 April 2012
C02DA	B	Typical Road Cross Sections	18 April 2012
C03DA	A	Concept Plan Sheet 1 of 3	6 October 2009
C04DA	B	Concept Sewer Plan Sheet 2 of 3	18 April 2012
C05DA	A	Concept Sewer Plan Sheet 3 of 3	06 October 2009
C07DA	A	Concept Stormwater Plan	18 April 2009

(c) Schedule 2 – Administrative Conditions – Condition B7 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

B7. Section 94 Monetary Contributions:

Payment to Council of contributions, at the rate current at the time of payment, towards the provision of the following public services or facilities:

- a) The contributions are to be paid **prior to release of any Construction Certificate** unless other arrangements acceptable to Council are made.
- b) The rates will be adjusted in accordance with the procedures set out in Council's Section 94 Contributions Plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised quarterly.
- c) If the project is to be staged, contributions are to be paid on a pro rata basis in respect of each stage.

	\$ Per Site
- Coordination and Administration	218.30 <u>372.32</u>
- Coffs Harbour Road Network	526.15 <u>331.77</u>
- Surf Rescue Equipment <u>Facilities</u>	61.20 <u>44.88</u>
- Development Studies	85.66
- District Open Space	1,972.73 <u>2354.35</u>
- Neighbourhood Open Space	501.93
- Neighbourhood Open Space – Northern Precinct	221.77 <u>1060.26</u>
- <u>Sub-district Open Space – Northern Precinct</u>	<u>1300.45</u>
- Transport and Traffic – Northern Precinct	3,533.42 <u>1265.14</u>
- Roads and Traffic Facilities – Northern Precinct	7,742.76

The Section 94 contribution is currently ~~\$787,787.92~~ **\$487,298.82 for the ~~53~~ **47** additional sites in the caravan park.**

Contributions have been imposed under the following plans:

- a) ~~Regional, District & Neighbourhood Facilities 2008~~ **Coffs Harbour Open Space 2017.**
- b) Coffs Harbour Road Network ~~2008~~ **2016.**
- c) Surf Rescue Equipment ~~2008~~ **Facilities 2016.**
- d) **Coffs Harbour Administration Levy 2016**
- e) Hearnese Lake/**Sandy Beach** Release Area Contributions Plan 2008.

The Contribution Plans may be inspected at the Council Administration Offices, 2 Castle Street, Coffs Harbour or on Council's web site, www.coffsharbour.nsw.gov.au.

(d) Schedule 2 – Administrative Conditions – Condition B8 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

B8. Section 64 Monetary Conditions

Payment to Council of contributions, at the rate current at the time of payment, towards the provision of the following public services or facilities:

- a) The contributions are to be paid prior to release **of any Construction Certificate** unless other arrangements acceptable to Council are made.

- b) The rates will be adjusted in accordance with the procedures set out in Council's Development Servicing Plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised at least annually.
- c) If the development is to be staged, contributions are to be paid on a pro rata basis in respect of each stage.

The current contribution rate is:

	Amount/Site \$	Total \$
Works to satisfy increased demand within the area for 53 47 additional sites in the caravan park.		
Water	4,134.37	219,121.61
	<u>6,323.40</u>	<u>297,199.80</u>
Sewer	3,953.63	209,542.39
	<u>6,046.96</u>	<u>284,207.12</u>
 TOTAL AMOUNT PAYABLE		 <u>428,664.00</u> <u>581,406.92</u>

Contributions have been imposed under the following plans:

- a) Water Supply Development Servicing Plan ~~2010~~ **2017**.
- b) Waste Water Treatment and Carrier System Development Servicing Plan ~~2010~~ **2017**.

The Contribution Plans may be inspected at the Council Administration Offices, 2 Castle Street, Coffs Harbour or on Council's web site, www.coffsharbour.nsw.gov.au.

- (e) Schedule 3 – Performance Conditions – Condition C8 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

C8. Landscaping

The **Landscaping Plan** prepared by Moir Landscape Architecture contained in the EA under condition B2 shall to be submitted to the satisfaction of the CA prior to the commencement of any work on site. The Plan shall also include the following:

- a) The Plan shall reflect amendments to the design of the proposed project contained in Drawing **01, Issue A dated 26/02/2018, The Pines Concept, prepared by Gateway Lifestyle** ~~DA-04, Revision D Overall Site Plan, Detail Site Plan & Staging Plan, dated March 2009 prepared by Urban Group~~ contained in the Preferred Project Report **Section 75W Application** under condition B2
- b) A planting schedule shall be included, listing all plants by botanic and common names
- c) Details showing the final drainage, edging, paving, surface finishes, retaining wall and any other landscape elements in sufficient detail to fully describe the proposed landscape works
- d) Provide smooth wire fencing to delineate the entire boundary of the caravan park.
- e) Access points to Hearnese Lake and Double Crossing Creek foreshore shall be restricted in accordance with Drawing **01, Issue A dated 26/02/2018, The Pines Concept, prepared by Gateway Lifestyle** ~~DA-04, Revision D Overall Site Plan, Detail Site Plan & Staging Plan, dated March 2009 prepared by Urban Group~~

contained in the Preferred Project Report **Section 75W Application** under condition B2

- f) Paths, directional fencing, signage and provision of information to direct caravan park users to the access points described in condition C6 e) shall also be provided on the site
 - g) Provide, manage and maintain a pontoon at Hearnese Lake foreshore to the satisfaction of Council and the Crown Lands Division
 - h) Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'
 - i) Details showing how all landscaping elements under the plan shall be maintained in accordance with the Plan into perpetuity
 - j) Provide, manage and maintain a lockable canoe storage facility within the Caravan Park and in proximity to the pontoon access point.
- (f) Schedule 3 – Performance Conditions – Condition C14 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

C14. Vegetation Buffer

Prior to the commencement of works a minimum 50 metre vegetated buffer shall be delineated, fenced and maintained into perpetuity between the outer asset protection zone of the development site and the 3.5 metre Australian Height Datum contour of Hearnese Lake/Double Crossing Creek consistent with the Drawing **01, Issue A dated 26/02/2018, The Pines Concept, prepared by Gateway Lifestyle** ~~DA-04, Revision D Overall Site Plan, Detail Site Plan & Staging Plan, dated March 2009 prepared by Urban Group~~ contained in the Preferred Project Report **Section 75W Application** and the *Hearnese Lake Sandy Beach Development Control Plan 2005*.

- (g) Schedule 3 – Performance Conditions – Condition C33 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

C33. Bushfire Protection Zones

At the commencement of construction and in perpetuity, the land to the south of proposed Lots 17, 25, 26, 34, 41, 47 and 53 **22, 23 and 41-47** to a distance of 30 metres, shall be maintained as an asset protection zone (APZ) in accordance Drawing **01, Issue A dated 26/02/2018, The Pines Concept, prepared by Gateway Lifestyle** ~~DA-04, Revision D Overall Site Plan, Detail Site Plan & Staging Plan, dated March 2009 prepared by Urban Group~~ contained in the Preferred Project Report under condition B2 and 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'.

- (h) Schedule 3 – Performance Conditions – Condition C37 is amended by the insertion of the **bold and underlined** words/numbers as follows:

C37. Bushfire Safety Requirements

Prior to occupation or commencement of use, the project shall comply with the following bushfire safety requirements:

- a) New construction within the proposed 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 2006'
- b) Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'
- c) Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'

- d) Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'
- e) Landscaping shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

End of Modification 1