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Response to Submissions Reports

MP10_0204 MOD 6

Property:
Catherine Hill Bay

Applicant:
Coastal Hamlets Pty Limited

Date:
November 2017

Working Beyond Expectations



Project Management • Town Planning • Engineering • Surveying
Visualisation • Economic Analysis • Social Impact • Urban Planning

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Document Control Sheet

Issue No.	Amendment	Date	Prepared By	Checked By
A	Issued for Approval	15 th November 2017	IB	ND

Limitations Statement

This report has been prepared in accordance with and for the purposes outlined in the scope of services agreed between ADW Johnson Pty Ltd and the Client. It has been prepared based on the information supplied by the Client, as well as investigation undertaken by ADW Johnson and the sub-consultants engaged by the Client for the project.

Unless otherwise specified in this report, information and advice received from external parties during the course of this project was not independently verified. However, any such information was, in our opinion, deemed to be current and relevant prior to its use. Whilst all reasonable skill, diligence and care have been taken to provide accurate information and appropriate recommendations, it is not warranted or guaranteed and no responsibility or liability for any information, opinion or commentary contained herein or for any consequences of its use will be accepted by ADW Johnson or by any person involved in the preparation of this assessment and report.

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The Client should be aware that this report does not guarantee the approval of any application by any Council, Government agency or any other regulatory authority.

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1.0 Introduction

This report has been prepared in response to the issues raised in the Department of Planning & Environment (DoP) email dated 11th October 2017 and the attached submissions from Lake Macquarie City Council (LMCC), Office of Environment & Heritage (OEH). As well as the email dated 19th October 2017 and the attached submissions from NSW Rural Fire Service (RFS) in relation to the amended Stage 7 subdivision layout.

The submissions received from OEH, including the Regional Operations Division and the Heritage Division, both raised no objections to the proposed modification MOD 6. A copy of these submission is provided with Appendix A.

The submissions from LMCC, in principle, raised no concerns with the proposed modification subject to three (3) items relating to retaining walls and stormwater being addressed. A copy of the LMCC submission is also included in Appendix A.

The response from RFS identified two (2) items that needed to be addressed, a copy of this response is also included in Appendix A. Further consultation was held with RFS to address the items raised in their response. Details of this consultation is provided in Section 3.1

2.0 Proposed Modification

As approved, the Stage 7 subdivision layout includes:

- Outram Lane – a perimeter road approved for bushfire access purposes (but not general public road access); and
- Raywood Close – designed for general public access to lots.

A revised proposal deleting the perimeter road was discussed with the RFS. This proposal was rejected due to bushfire considerations despite adequate bushfire asset protection zones (APZs) being available for each affected lot.

An option was developed for a realigned and upgraded Outram Lane. The option moves the perimeter road alignment inward, away from the subdivision boundary and steeper land. The upgrading to a wider perimeter public road provides full public access to the Stage 7 lots. With all public access and bushfire requirements met by Outram Lane, Raywood Close is not needed.

No change to the conditions of approval is required. The only change required to the approval is an update of the plan references to include the proposed revised stage 7 layout.

3.0 Response to Submissions

3.1 LAKE MACQUARIE CITY COUNCIL

The submission by LMCC outline three (3) matters that need to be addressed:

1. All retaining walls required within the subdivision should be made from decorative masonry and should be located outside of the public road reserve;
2. There does not appear to be any provision for the treatment of stormwater in Stage 7. Council's normal requirements are that stormwater detention and stormwater quality controls are provided for stormwater prior to the stormwater being discharged offsite.
3. The stormwater from Stage 7 is proposed to be discharged directly to the adjoining National Park without stormwater treatment (as identified in point 2 above) and without the provision of easements on the National Park lands.

The following responses are provided to the LMCC submission:

1. The selection of materials for retaining wall construction will be based on a number of criteria including, but not limited to, maximum height, available area for construction, whether the wall is visible from the public domain, etc.

As there are excessive slopes along the subdivision boundary, and works are not permitted within the National Park lands, retaining walls are required. This is to allow the vertical alignment of perimeter roads to be designed in accordance with LMCC requirements. This approach is consistent with the methodology used in Stages 1, 2, 4 and 5 which all provide retaining walls adjoining National Park lands and are constructed within the road reserve.

It is also worth noting that the current approved Stage 7 subdivision layout would require retaining walls to be constructed along approximately 75% of the Stage 7 perimeter road and with heights up to 7m in height. The proposed MOD 6 modification reduces the extents to less than 20% of the perimeter road with maximum heights of less than 3m.

2. The majority of the stormwater generated from Stage 7 subdivision is directed to the east through Stage 6. The stormwater is then treated via the stormwater quality controls within Stage 6, being a combination of gross pollutant traps (GPT) and biofiltration basins. The remaining area of Stage 7 that cannot be discharged through Stage 6 due to site topography is combined with uphill runoff from National Park lands and treated via a GPT, refer to Figure 1.

Stormwater detention controls are located within the Stage 6 site area. A portion of the Stage 7 subdivision is directed into the detention basins within Stage 6. The remaining area of Stage 7 cannot discharge to the detention basins due to site topography. For this reason, the detention basins are sized to over detain flows, to ensure flows downstream of the site are maintained at pre-developed levels.

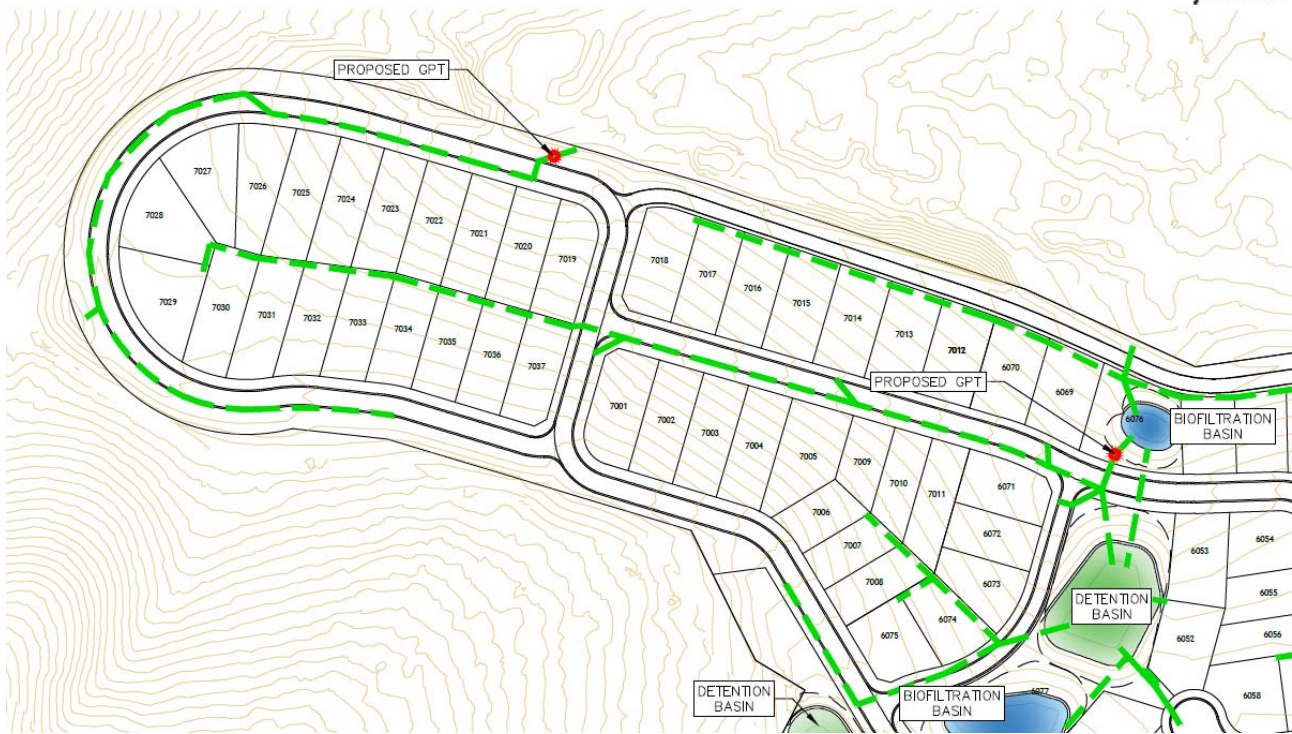


Figure 1: Indicative Stage 7 Stormwater Layout

3. Stormwater treatment is addressed in point 2 above. Stormwater easements are not required as the stormwater outlet is located over an existing gully line. This gully line current conveys runoff from the subject site as concentrated flows. The outlet locations have been ground trothed to coincide with existing gully lines. Energy dissipation and level spreader structures will be provided to reduce velocities to mitigate potential erosion downstream of the site.

Note that this is consistent with the proposed Stage 6 outlet and the outlets that have been constructed as part of Stages 1, 2, 4 and 5 of the development.

3.2 NSW RURAL FIRE SERVICE

The submission by RFS raised two (2) items that need to be addressed:

1. Details demonstrating that the modified perimeter road is linked to the internal road system at intervals not exceeding 500 metres, as required as an acceptable solution under Section 4.1.3 (1) of 'Planning for bush Fire Protection 2006';
2. Advice detailing the front building alignment for the proposed residential lots, and the expected bushfire attack level (BAL) ratings, as determined under the Australian Standard AS3959-2009, for future dwellings on those lots.

Following receipt of the RFS submission, further consultation with RFS was held to address the items above.

To address Item 1, a revised lot layout and road network was prepared and provided to RFS, refer to Figure 2. This subdivision layout ensures that the perimeter road is linked to the internal road system at intervals less than 500m as required.



Figure 2: Revised Stage 7 Layout

Indicative BAL zones were overlaid on the revised Stage 7 layout shown above to address RFS response Item 2, refer to Figure 3. The BAL zones have been taken from the Bushfire Management Plan prepared under the Planning Assessment Commission consent and provided to Council.



Figure 3: Revised Stage 7 Layout with Indicative BAL Zones

4.0 Conclusion

No change to the conditions of approval is required. The only change required to the approval is an update of the plan references to include the proposed revised stage 7 subdivision layout. Revised subdivision plans, version BC, detailing the proposed layout changes are provided in Appendix 2.

We trust this report satisfactorily addresses the concerns raised within the authority submissions.

Appendix 1

AUTHORITY SUBMISSIONS



DOC17/484840-2
MP10_0204 MOD 6

Michelle Niles
Senior Planner
Department of Planning & Environment
michelle.niles@planning.nsw.gov.au

Dear Michelle

Notice of modification – Catherine Hill Bay (MP10_0204 MOD 6)

I refer to your email dated 25 September 2017 requesting comment from the Office of Environment and Heritage (OEH) regarding the above mentioned modification at Catherine Hill Bay. OEH has reviewed the supplied documents and provides the following comments.

OEH understands that the Department of Planning and Environment has received a request from ADW Johnson Pty Ltd on behalf of Coastal Hamlets Pty Ltd to modify MP10_0204 at Catherine Hill Bay under section 75W of the *Environmental Planning and Assessment Act 1979*. The modification request seeks to amend the road layout in Stage 7.

As this matter will not result in additional impacts to biodiversity or Aboriginal cultural heritage OEH has no objection to the proposed modifications.

If you have any enquiries concerning this advice, please contact Anne Browett, Conservation Planning Officer, on 4927 3160.

Yours sincerely

STEVEN COX
Senior Team Leader Planning
Hunter Central Coast Branch
Regional Operations Division

5 October 2017

Contact officer: ANNE BROWETT
4927 3160

Michelle Niles

From: Greg Field <gfield@lakemac.nsw.gov.au>
Sent: Thursday, 28 September 2017 3:17 PM
To: Michelle Niles
Subject: Submission to Catherine Hill Bay (MP 10_0204 MOD 6)

Follow Up Flag: Follow up
Due By: Friday, 29 September 2017 11:30 AM
Flag Status: Completed

Hi Michelle,

Thank you for your email of 25 September 2017 in which you have invited Council to make a submission on MP 10_0204 MOD 6, Stage 7 of the Beaches Estate at Catherine Hill Bay.

In principle, Council does not have any concerns with the proposed modification provided that the following matters are addressed.

1. All retaining walls required within the subdivision should be made from decorative masonry and should be located outside of the public road reserve.
2. There does not appear to be any provision for the treatment of stormwater in Stage 7. Council's normal requirements are that stormwater detention and stormwater quality controls are provided for stormwater prior to the stormwater being discharged off site.
3. The stormwater from Stage 7 is proposed to be discharged directly to the adjoining National Park without stormwater treatment (as identified in Point 2 above) and without the provision of stormwater easements on the National Park lands.

Council requests that the above matters be addressed in the assessment of the modification.

Please contact me if you have any questions.

Regards,



Greg Field
Chief Subdivision Engineer

Phone: 02 4921 0281
Email: gfield@lakemac.nsw.gov.au

126-138 Main Road Speers Point NSW 2284
Box 1906 HRMC NSW 2310



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Any views expressed in this communication are those of the individual sender, except where the sender specifically states them to be the views of Council.



NSW RURAL FIRE SERVICE



The Secretary
Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Your reference: MP 10_0204 MOD 6
Our reference: D17/3384

18 October 2017

Attention: Michelle Niles

Dear Sir/Madam,

Notice of Modification
Catherine Hill Bay (MP 10_0204 MOD 6)

Reference is made to the Department's correspondence forwarded 26 September 2017, advising of and inviting comment on the proposed modification to amend the road layout in Stage 7 of the Catherine Hill Bay subdivision, Montefiore Street, Catherine Hill Bay.

The New South Wales Rural Fire Service (NSW RFS) advises that it is not in a position to complete the assess of the application on the available information. The following will need to be provided for further assessment:

1. Details demonstrating that the modified perimeter road is linked to the internal road system at intervals not exceeding 500 metres, as required as an acceptable solution under section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.
2. Advice detailing the front building alignment for the proposed residential Lots, and the expected bushfire attack level (BAL) ratings, as determined under the Australian Standard AS3959-2009, for future dwellings on those Lots.

The NSW RFS will provide a response within 14 days of the receipt of the required further information. If the additional information is not received within 100 days, the application will be refused on the basis of requested information not provided. A formal request for reassessment would be required after that time.

If you have any queries regarding this advice, please contact Garth Bladwell, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,

Jason Maslen
Team Leader, Development Assessment and Planning
Planning and Environment Services (East)

Postal address

NSW Rural Fire Service
Records Management
Locked Bag 17
GRANVILLE NSW 2141

Street address

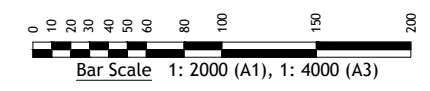
NSW Rural Fire Service
Planning and Environment Services (East)
42 Lamb Street
GLENDENNING NSW 2761

T 1300 NSW RFS
F (02) 8741 5433
E csc@rfs.nsw.gov.au
www.rfs.nsw.gov.au



Appendix 2

SUBDIVISION PLANS



LOT COUNT

STAGE	RESIDENTIAL	RESERVE	OTHER/ RETAIL	TOTAL
1	110	1	-	111
2	149	1	-	150
3	40	1	1	42
4	93	-	-	93
5	44	1	1	46
6	75	4	-	79
7	37	-	-	37
TOTAL	548			

Ver.	Date	Comment
BC	15/11/2017	Stage 7 boundaries amended
BB	06/09/2017	Stage 6 boundaries amended
BA	23/08/2017	Stage 7 boundaries amended
AY	15/07/2016	Stage 1 boundaries amended
AX	23/03/2015	Stage 6 & 7 boundaries amended

- NOTES**
1. PROPOSED EASEMENTS FOR SERVICES & DRAINAGE NOT SHOWN & WILL BE SUBJECT TO FINAL DESIGN.
 2. BOUNDARIES HAVE BEEN DETERMINED BY PLAN DIMENSIONS ONLY, AND HAVE NOT BEEN SURVEYED. ALL BEARINGS, DIMENSIONS, AREAS AND EASEMENTS ARE SUBJECT TO FINAL SURVEY



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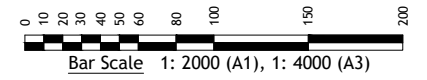
Plan of: SUBDIVISION OF LOTS 100, 101, 102, 103, 106 IN D.P.1129872
 LOT 1 D.P.1151628
 LOT 1 D.P.1141989
 LOT 1 D.P.1129299

Location: Catherine Hill Bay
 Council: Lake Macquarie

Datum: MGA Zone 56
 Origin: North Direction: Grid
 Contour Interval:

Date: 17th July 2012
 Sheet: 2 of 11
 Plan By: KT
 Project Manager: LB
 Office: Coast
 Plan Purpose: Subdivision

Version: BC (14/11/2017)
 Client: Coastal Hamlets Pty. Ltd.
 Survey: AutoCAD: ACAD-11688-SUB-002-BC-C3D
 Our Reference: 11688

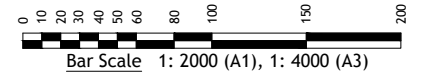


NOTES
 1. PROPOSED EASEMENTS FOR SERVICES & DRAINAGE NOT SHOWN & WILL BE SUBJECT TO FINAL DESIGN.

BC	15/11/2017	Stage 7 boundaries amended
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AY	15/07/2016	Stage 1 boundaries amended
AX	23/03/2015	Stage 6 & 7 boundaries amended
Ver.	Date	Comment



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Ver.	Date	Comment



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Plan of: STAGE 1

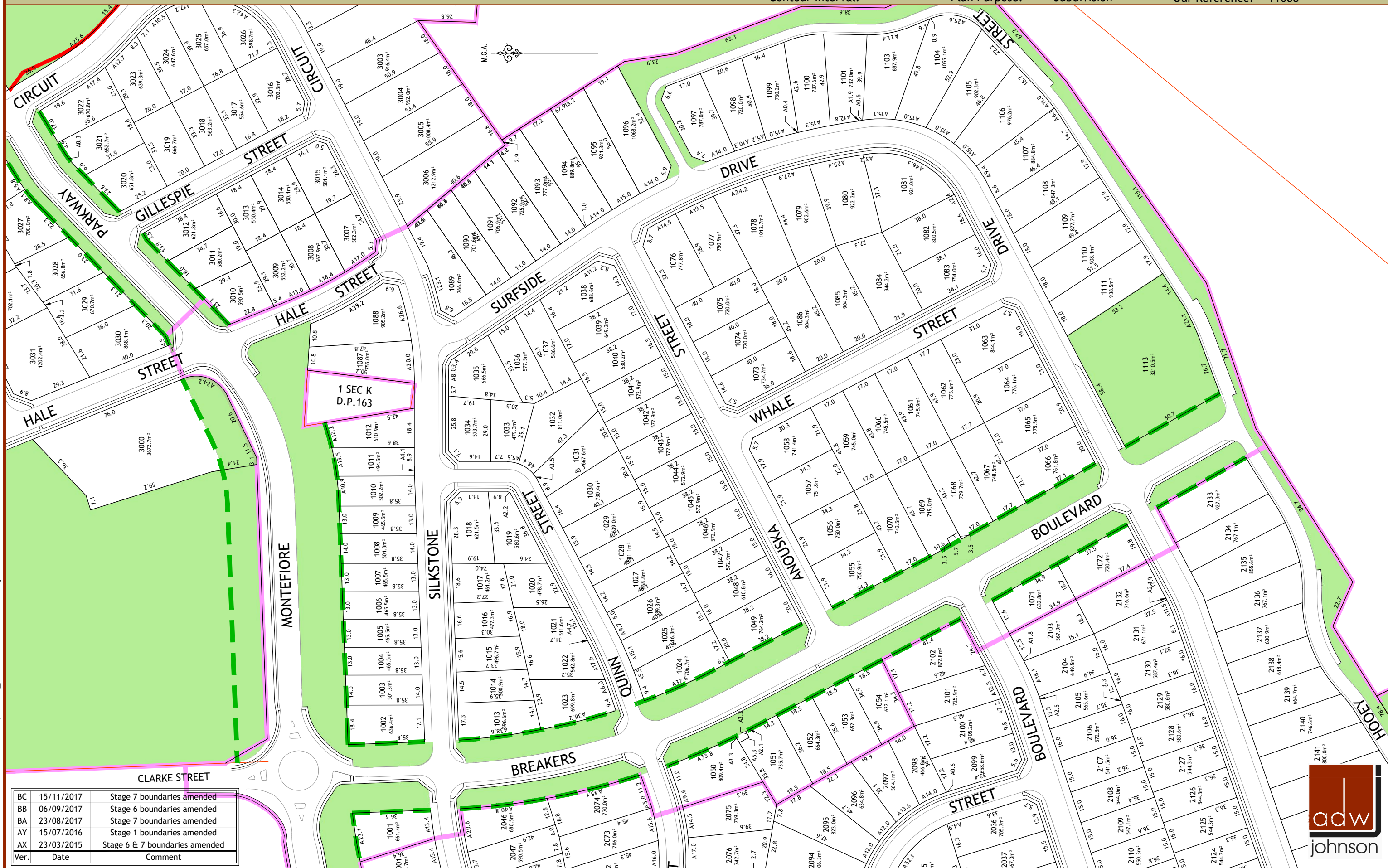
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Council: Lake Macquarie

Datum: MGA Zone 56
 Origin: North Direction: Grid
 Projection: MGA Zone 56
 Contour Interval:

Date: 17th July 2012
 Sheet: 4 of 11
 Plan By: KT
 Project Manager: LB
 Office: Coast
 Plan Purpose: Subdivision

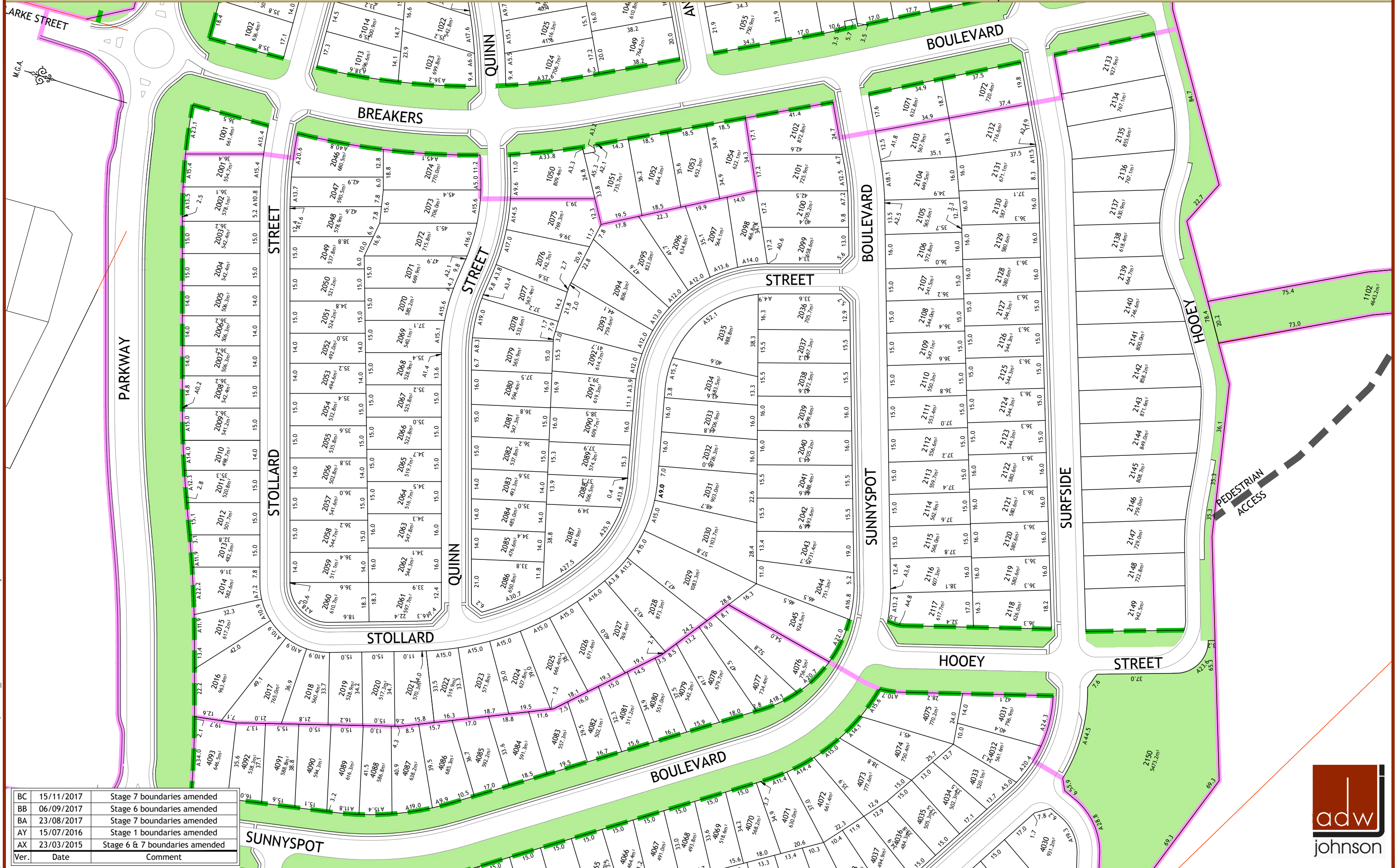
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 Client: Coastal Hamlets Pty. Ltd.
 Survey: KT
 AutoCAD: ACAD-11688-SUB-002-BC-C3D
 Our Reference: 11688



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BC	15/11/2017	Stage 7 boundaries amended
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AY	15/07/2016	Stage 1 boundaries amended
AX	23/03/2015	Stage 6 & 7 boundaries amended

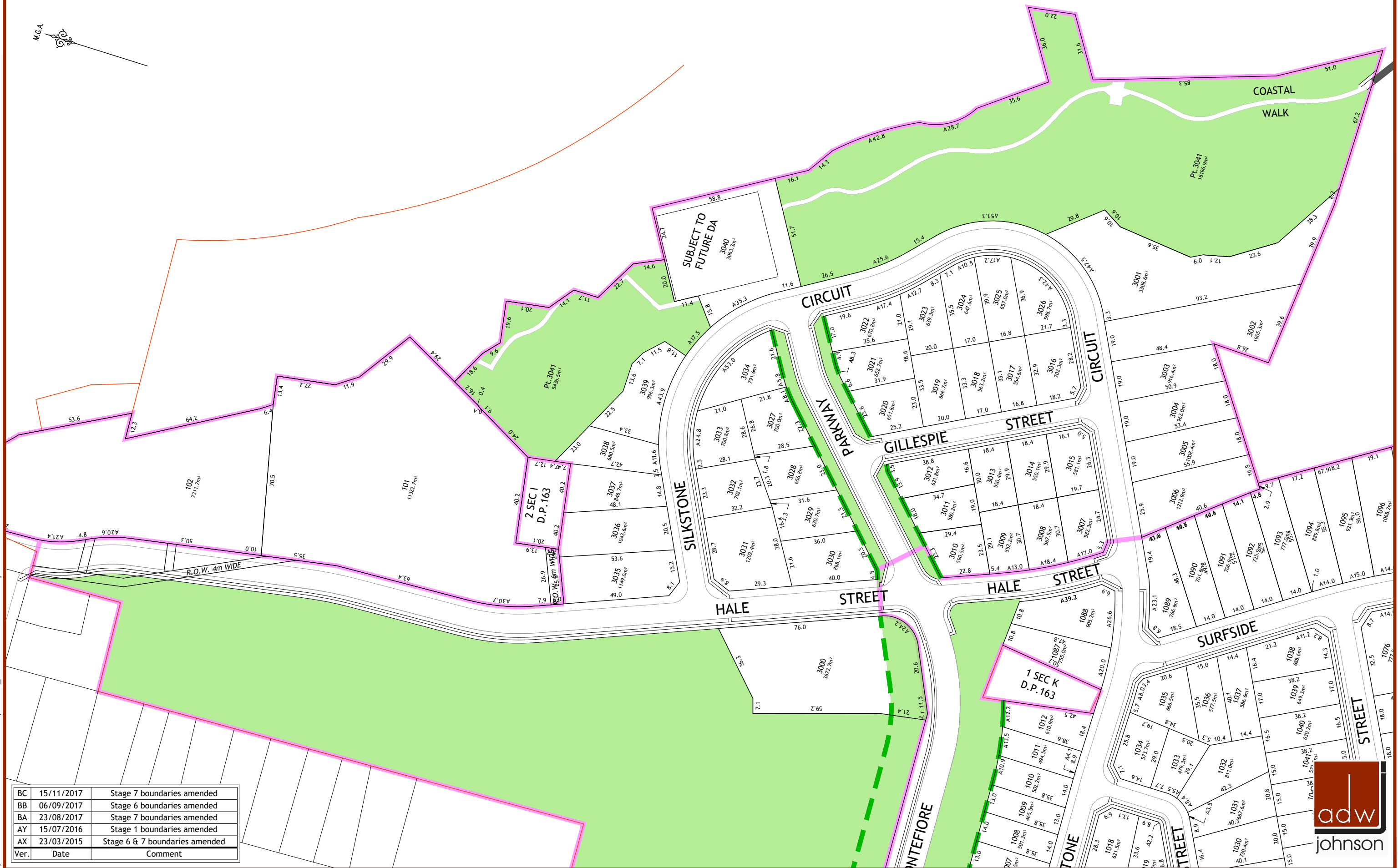
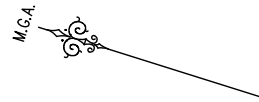




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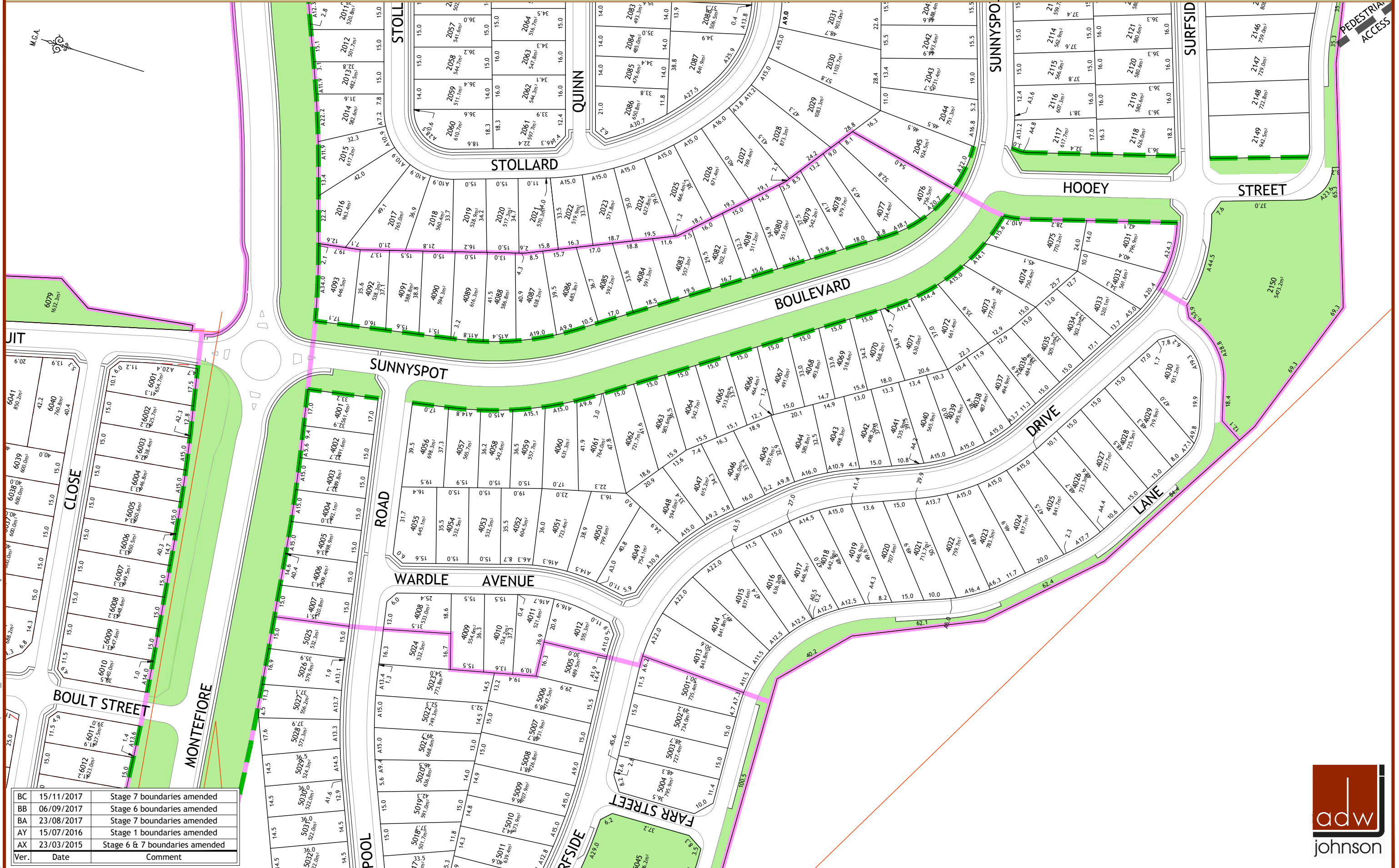
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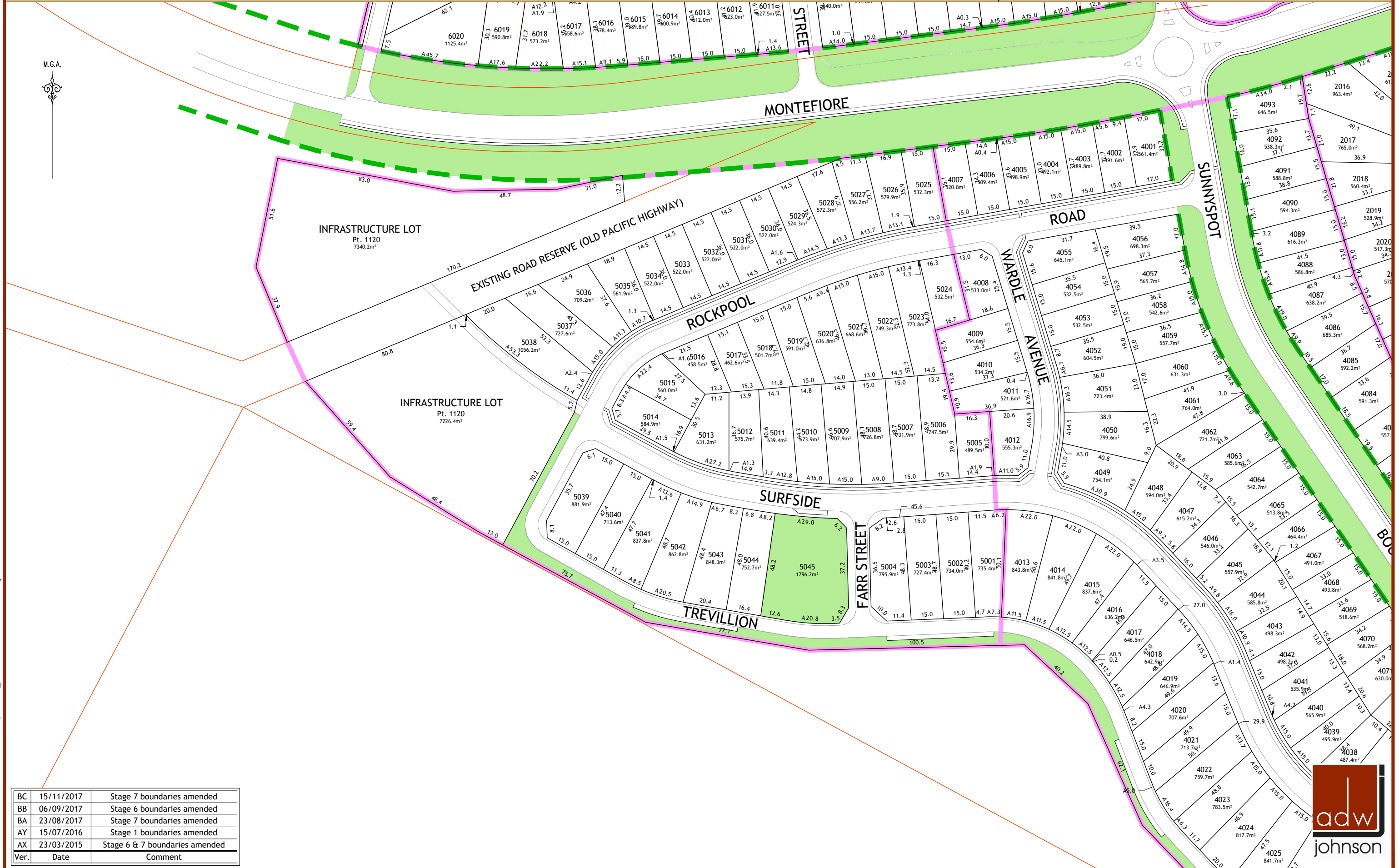
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AY	15/07/2016	Stage 1 boundaries amended
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Plotted By: michaelr Plot Date: 17/11/17 - 10:03 Cad File: C:\Temp\AcPublish_5552\ACAD-11688-SUB-002-BC-C3D.dwg

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AY	15/07/2016	Stage 1 boundaries amended
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Plan of: STAGE 6

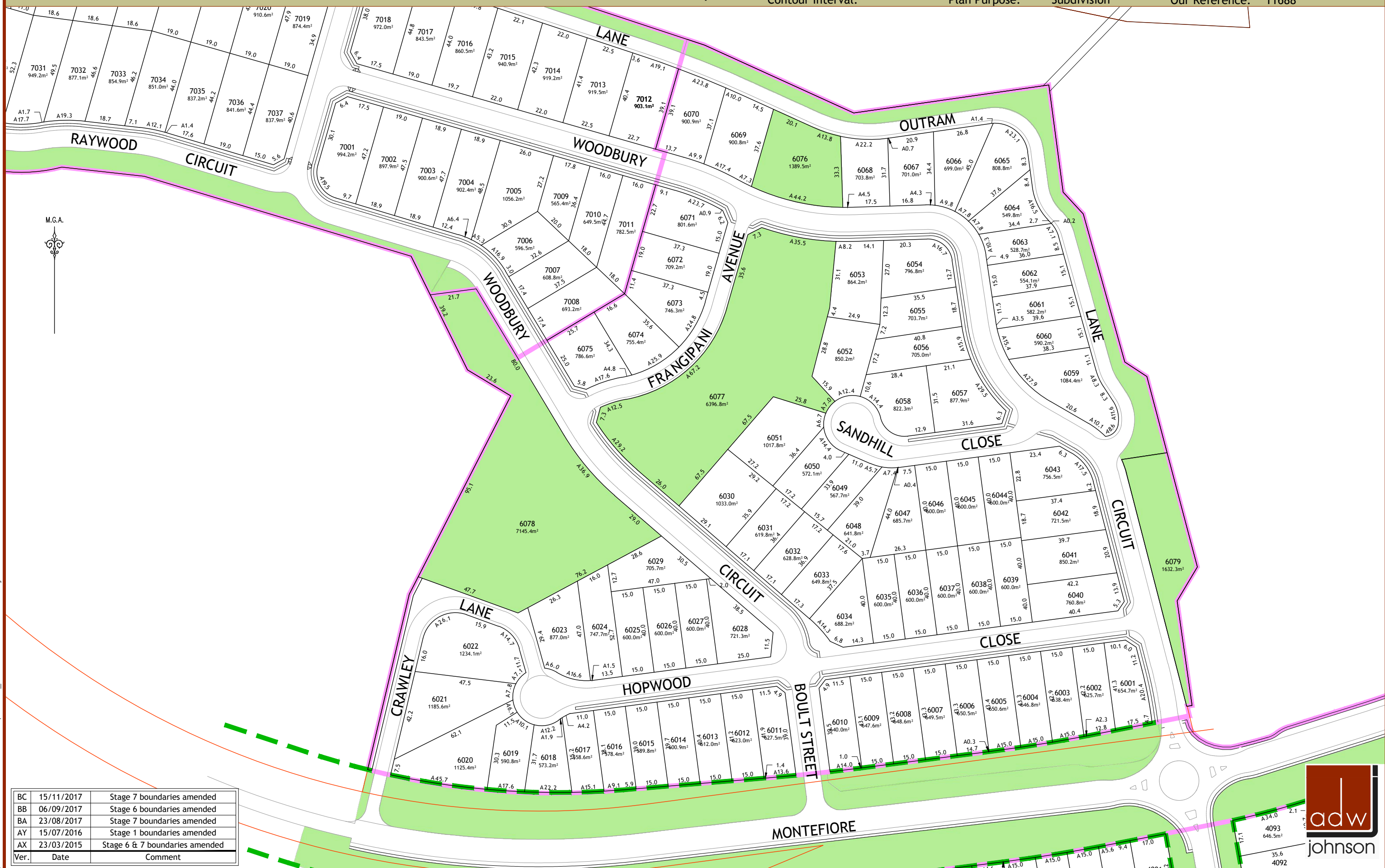
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Council: Lake Macquarie

Datum: Origin:
Projection: MGA Zone 56
Origin:
North Direction: Grid
Contour Interval:

Date: 17th July 2012
Sheet: 10 of 11
Plan By: KT
Project Manager: LB
Office: Coast
Plan Purpose: Subdivision

Version: BC (14/11/2017)
Client: Coastal Hamlets Pty. Ltd.
Survey: AutoCAD: ACAD-11688-SUB-002-BC-C3D
Our Reference: 11688

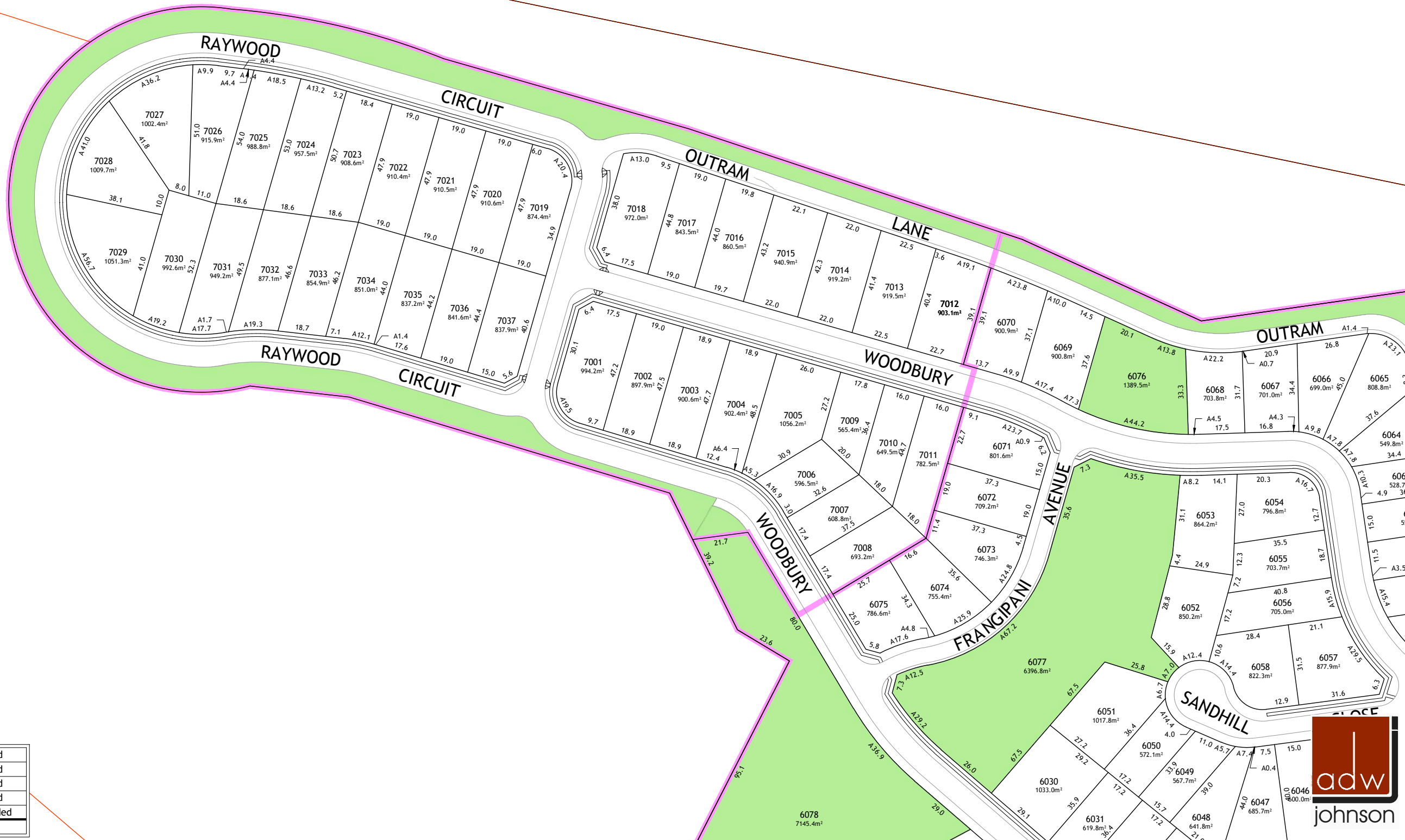


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BA	23/08/2017	Stage 7 boundaries amended
AY	15/07/2016	Stage 1 boundaries amended
AX	23/03/2015	Stage 6 & 7 boundaries amended
Ver.	Date	Comment



M.G.A.



Ver.	Date	Comment
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BB	06/09/2017	Stage 6 boundaries amended
BA	23/08/2017	Stage 7 boundaries amended
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Ver.	Date	Comment



Plotted By: michaelr Plot Date: 17/11/17 - 10:03 Cad File: C:\Temp\AcPublish_5552\ACAD-11688-SUB-002-BC-C3D.dwg

Plan of: SUMMARY OF PROPOSED CHANGES

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Council: Lake Macquarie

Datum: Origin:
Projection: MGA Zone 56
Origin:
North Direction: Grid
Contour Interval:

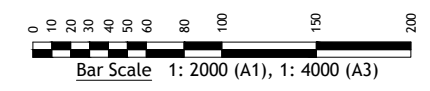
Date: 17th July 2012
Sheet:
Plan By:
Project Manager: LB
Office: Coast
Plan Purpose: Subdivision

Version: BC (14/11/2017)
Client: Coastal Hamlets Pty. Ltd.
Survey:
AutoCAD: ACAD-11688-SUB-002-BC-C3D
Our Reference: 11688



EXTERNAL ROAD SHORTENED AND LOTS RECONFIGURED WITHIN STAGE 7. (SAME LOT COUNT)

PROPOSED EASEMENT FOR GRAVITY SEWER 4 WIDE



LOT COUNT

STAGE	RESIDENTIAL	RESERVE	OTHER/ RETAIL	TOTAL
1	110	1	-	111
2	149	1	-	150
3	40	1	1	42
4	93	-	-	93
5	44	1	1	46
6	75	4	-	79
7	37	-	-	37

TOTAL 548

Ver.	Date	Comment
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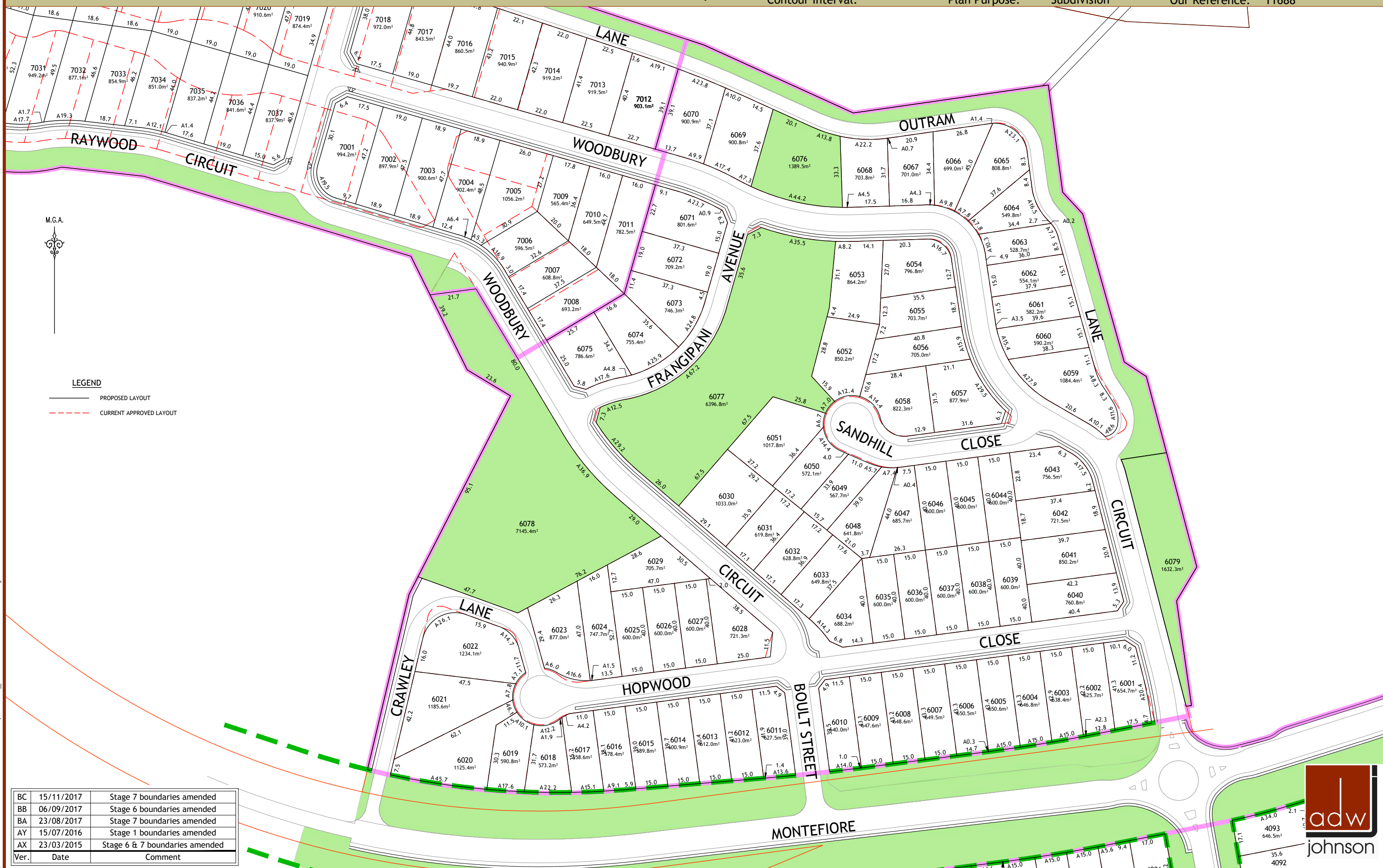
Plan of: STAGE 6
COMPARISON OF APPROVED AND PROPOSED LOT LAYOUT

Location: Catherine Hill Bay
Council: Lake Macquarie

Datum: MGA Zone 56
Origin: North Direction: Grid
Projection: MGA Zone 56
Contour Interval:

Date: 17th July 2012
Sheet: 10 of 11
Plan By: LB
Project Manager: LB
Office: Coast
Plan Purpose: Subdivision

Version: BC (14/11/2017)
Client: Coastal Hamlets Pty. Ltd.
Survey: ACAD-11688-SUB-002-BC-C3D
AutoCAD: ACAD-11688-SUB-002-BC-C3D
Our Reference: 11688



LEGEND
 — PROPOSED LAYOUT
 - - - CURRENT APPROVED LAYOUT

Ver.	Date	Comment
BC	15/11/2017	Stage 7 boundaries amended
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Plotted By: michael Plot Date: 17/11/17 - 10:03 Cad File: C:\Temp\AcPublish_5552\ACAD-11688-SUB-002-BC-C3D.dwg

Plan of: STAGE 7
COMPARISON OF APPROVED AND PROPOSED LOT LAYOUT

Location: Catherine Hill Bay

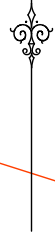
Council: Lake Macquarie

Datum: MGA
Origin: MGA Zone 56
Projection: MGA Zone 56
Origin: North Direction: Grid
Contour Interval:

Date: 17th July 2012
Sheet: 11 of 11
Plan By: KT
Project Manager: LB
Office: Coast
Plan Purpose: Subdivision

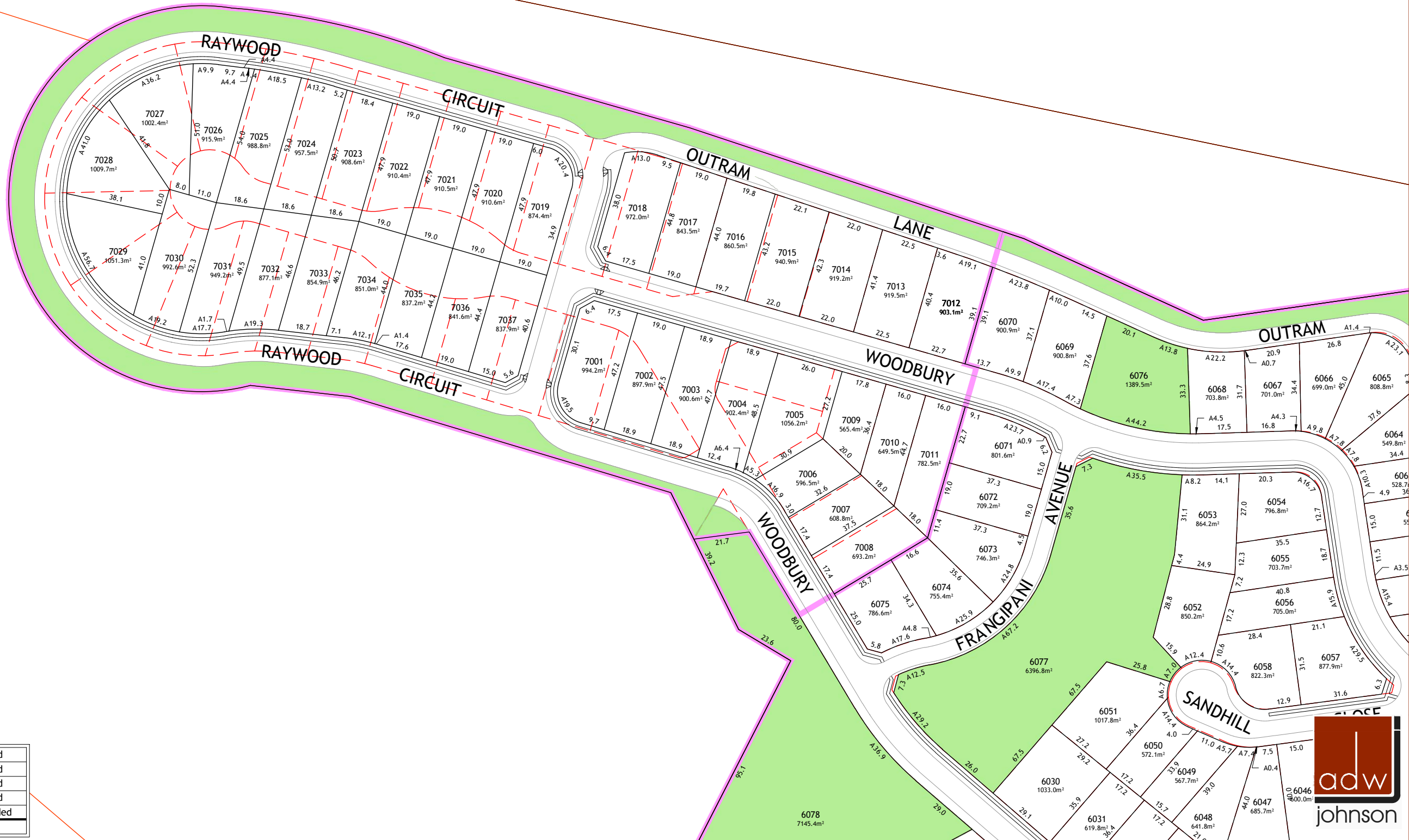
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Survey: ACAD-11688-SUB-002-BC-C3D
AutoCAD: ACAD-11688-SUB-002-BC-C3D
Our Reference: 11688

M.G.A.



LEGEND

- PROPOSED LAYOUT
- CURRENT APPROVED LAYOUT



Ver.	Date	Comment
BC	15/11/2017	Stage 7 boundaries amended
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AY	15/07/2016	Stage 1 boundaries amended
AX	23/03/2015	Stage 6 & 7 boundaries amended



Plotted By: michaelr Plot Date: 17/11/17 - 10:03 Cad File: C:\Temp\AcPublish_5552\ACAD-11688-SUB-002-BC-C3D.dwg