

6 January 2022

Department of Planning, Industry & Environment

Att: Teresa Gizzi & Kendall Clydesdale

Via email: kendall.clydsdale@dpie.nsw.gov.au

Via: NSW Major Projects Portal

Dear Sir/Madam,

RESPONSE TO SUBMISSIONS REPORT - SECTION 4.55(1A) MODIFICATION TO CONSENT – EXPANSION TO THE PINES CARAVAN PARK – 8 HEARNESE LAKE ROAD, WOOLGOOLGA – MP08-0005-MOD 2

I refer to the above application and the Departments letter titled 'Response to Submissions Report' dated 4 November 2021. In accordance with clause 82(2) of the *Environmental Planning and Assessment Regulation* 2000.

Introduction

Hometown Australia (HTA) has reviewed the submissions and acknowledges there were no submissions from members of the public or existing residents of The Pines. Of the seven (7) submissions outlined below, three (3) confirmed they had no concern, two (2) recommended conditions and a further two (2) Departments provided comments requiring HTA response. As outlined in the Analysis of Submissions below, HTA is pursuing compliance with the conditions of Consent and will continue to work with Council to ensure subsequent approvals, compliance and monitoring requirements are met.

Analysis of Submissions

The following table provides a summary of the submissions and HTAs response.

Summary of Submission	HTA Response
Biodiversity & Conservation Division (BCD) In relation to the proposed modification, BCD states they raise no issue with the proposed modification. The BCD recommends that the Planning and Assessment Group seeks clarification about the status of the implementation of the VMP and copies of the four annual monitoring reports required to be submitted by the proponent to ensure the works required under the VMP are being undertaken in accordance with the VMP.	In August 2021, the Revised VMP (Version 1, dated 9 August 2021) was submitted to Council for approval in accordance with Condition C7. Council subsequently advised they are satisfied the Revised VMP meets the requirements of Condition C7, subject to a Security Bond payment (copy attached). By securing Council approval for the Revised VMP and creating the vegetation buffer prior to commencing works, HTA is complying with the conditions of Consent. HTA will implement the Revised VMP works and associated monitoring in accordance with the Council-approved Revised VMP and Condition C26. To remove any doubt, HTA has not implemented VMP works prior to Council approval of the Revised VMP. Physical commencement of the development is discussed in the EIS Report and includes the establishment of the vegetation buffer (Condition C14), decommissioning the on-site wastewater

	treatment system (Condition C21), upgrade of the sewer pump station and internal services (Conditions C9 & C42) and connection to Council's reticulated wastewater network. HTA was compelled by Council to prioritise works associated with Conditions C9, C21 and C42 ('sewer works'); which HTA implemented with Council approval. The sewer works required considerable lead-time, negotiation, cost and management of health, safety, environment and resident needs. Critical milestones have now been achieved and HTA is now committed to implement the next phase of development, including but not limited to the VMP scope of work.
Coffs Harbour City Council Council has reviewed the modified application and raises no concern.	Noted.
Department of Primary Industries – Fisheries Stormwater management must be implemented to maintain and improve adjacent estuarine water quality, including appropriate provisions for installation, retrofitting and long-term maintenance of stormwater and water sensitive design features and controls. DPI Fisheries commends the development of a vegetation management plan adjacent to the development expansion and strongly recommends that this vegetation management plan is expanded to incorporate the entire Pines estate. Rehabilitation of native vegetation along the entire foreshore adjacent to Hearn's Lake will assist to protect marine park water quality. It is critical that best-practice sediment and erosion control is installed prior to and appropriately maintained throughout all phases of construction, or at any time when earth is disturbed. Every effort must be made to maintain and improve marine park water quality.	HTA will comply with all conditions of Consent relating to stormwater management, vegetation management, sediment and erosion control. HTA does not accept the DPI recommendation that the VMP be expanded to incorporate the entire Pines estate or rehabilitation of the entire foreshore. We believe the recommendation is unreasonable and irrelevant to the scope of the approved development and the proposed modifications.
Transport for NSW TfNSW considers that in our technical assessment of the EIS, specifically Part C, Table 7 Assessment: Traffic, Access and Parking; that the 'baseline' for impact assessment is unchanged and the predictions of impact are acceptable. TfNSW considers that the proposed modification is unlikely to result in an	Noted

increase demand on road infrastructure, transport facilities and services in this location.	
Department of Planning, Industry and Environment – Crown Lands The Department of Planning, Industry and Environment – Crown Lands has reviewed the proposal and we confirm that DPIE – Crown Lands has no further comment at this time.	Noted.
Rural Fire Service The NSW RFS has considered the information provided and recommends amended conditions.	Noted. HTA will accept the amended conditions of Consent from RFS.
Department of Planning, Industry and Environment – Water Post Approval Recommendation • The proponent should update the Stormwater Management Plan prior to commencement of works. Explanation - The impacts from the proposal's civil works (including excavation and drainage modification works within the approved expansion area) can be adequately managed and mitigated via the updated erosion and sediment control plan submitted with the mod application (dated March 2021) and an updated Stormwater Management Plan.	Noted. HTA will accept this as an amended condition of Consent.

Actions taken since exhibition

Since completion of public exhibition, DPIE issued a Request for Information letter dated 10 November 2021. HTA responded to the request via letter dated 3 December 2021 and included some additional information in respect of visitor car parking, demolition works, extent of works and the scope of changes. The proposed modification remains substantially the same as the development detailed in the EIS Report dated 17 September 2021.

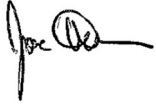
Updated project justification

The project justification has not been modified by the content of submissions received. As detailed in the EIS Report, the modification:

- enables the retention of communal amenities and internal roads for improved resident access, amenity and convenience;
- does not result in any impacts that were not previously known and assessed when the Consent was issued;
- will not change or remove any components that were critical to approval of the Consent;
- maintains a high-standard of design in accordance with the Local Government Regulation and conditions of Consent.

Should you wish to discuss any aspect of this application, please contact me on 0421 109 183 or email jwaugh@hometownaustralia.com.au

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Joe Waugh', with a stylized flourish at the end.

Joe Waugh

Head of Planning

HOMETOWN AUSTRALIA
C O M M U N I T I E S