

27 March 2006

Director General
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Our Reference: DOP DG.DOC

Dear Sir,



**RE: REQUEST FOR DIRECTOR GENERAL'S REQUIREMENTS,
PROPOSED RESIDENTIAL SUBDIVISION, 334 - 356 GREGORY
STREET, SOUTH WEST ROCKS**

1. INTRODUCTION

Environmental Resources Management Australia (ERM) has been commissioned by Macleay Valley Property group Pty Ltd to prepare an Environmental Assessment Report under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for a proposed residential subdivision of Lot 2 in DP 581117, commonly known as 334 - 356 Gregory Street, South West Rocks (the site).

In correspondence dated 21 November 2005, the Department of Planning (DoP) confirmed that it has determined that the proposed subdivision is a 'major project' to which Part 3A of the EP&A Act applies.

The purpose of this letter is to seek Director-General's Environmental Assessment Requirements for the preparation of a concept approval and project approval application for the development, as outlined below.

Included in this request is:

- a locality plan and concept / project plan;
- consent authority from the landholders;
- a completed application form;
- application fee.

2. LOCALITY AND SITE DESCRIPTION

2.1 LOCALITY

Lot 2 in DP 581117 is located on the north east intersection of Gregory Street and Arakoon Road, approximately 3 kilometres south of the town centre of South West Rocks and 3.5 kilometres directly south of the nearest coastline (Trial Bay). The site cannot be seen from locations close to the beach or from coastal foreshore areas. A map of the locality is provided in *Appendix A*.

Existing residential subdivision in the South West Rocks township is located west of the site, on the west side of Gregory Street. Spencers Creek passes approximately 150 metres to the west of the site. Rural and rural residential properties are located to the north and north-east and Hat Head National Park, which includes wetlands, is located to the south. Arakoon Road separates the site from Hat Head National Park. Land to the north is zoned but not yet developed for residential development. It is understood that applications for development of the properties to the north have been lodged with DoP and Kempsey Shire Council. There is no rural zoned land adjacent to the site.

The site is also in proximity to a number of community and commercial services and facilities, including 'The Rocks' shopping centre which is approximately 650 metres to the north.

2.2 SITE

The site, Lot 2 in DP 581117, is located on the north east corner of the intersection of Gregory Street and Arakoon Road, South West Rocks. It has frontage to Arakoon Road, Gregory Street and Cooper Street and a total area of approximately 4.8 hectares. Cooper Street is an unsealed road that serves the site and rural properties to the east.

The site is relatively level, with a slight fall to the south and west, draining to the road. Native vegetation on the site is characterised by mature trees (open forest), with an understorey disturbed by rural residential uses, including livestock grazing. A dwelling and ancillary structure are located in the north portion of the site.

3. PROJECT DESCRIPTION

The project will provide for a high quality residential development at the entrance to South West Rocks, along Gregory Street.

The project includes the components set out below.

1. Concept approval is sought for the subdivision of the land, pursuant to Section 75(M) of the Environmental Planning and Assessment Act 1979 (EP&A Act).
2. Project approval is sought for a three lot subdivision of the site.
 - Lot 1 will include the existing house and have an area of approximately 8055 square metres, which is comprised of 1171 square metres of land on the north side of Cooper Street and 6344 square metres of land on the south side of Cooper Street. The lot will have access from Cooper Street.
 - Lot 2 will have an area of approximately 4.01 hectares, with approximately 575 metres of frontage to Arakoon Road, Gregory Street and Cooper Street. It will include an electricity transmission easement.
 - Lot 3 will have an area of approximately 257.3 square metres and accommodate the existing sewer pump station. It is to be acquired by Kempsey Shire Council.
3. Project approval is sought for a 44 lot subdivision of Lot 2. It will include an internal road and lots ranging in size from approximately 500 square metres to 1800 square metres.

Refer to *Appendix B*.

4. RELEVANT PLANNING PROVISIONS

The planning provisions applying to the site are set out below.

4.1 PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A ACT)

A subdivision of land in a residential zone into more than 25 lots within the New South Wales coastal zone is included in Schedule 2 of the State Environmental Planning Policy (Major Projects) 2005 and therefore a project to which the development assessment and approval process under Part 3A of the EP&A Act applies. The applicability of Part 3A to this project was confirmed by the Department of Planning in the letter dated 21 November 2005.

4.2 STATE ENVIRONMENTAL PLANNING POLICY 71 - COASTAL PROTECTION (SEPP 71)

The site is within the coastal zone, as defined by the *Coastal Protection Act*. Matters of Consideration listed in Clause 8 of SEPP 71 will be addressed as part of the environmental assessment. No further technical studies are envisaged to complete these requirements.

4.3 STATE ENVIRONMENTAL PLANNING POLICY 44 - KOALA HABITAT (SEPP 44)

This policy applies to land in Kempsey local government area. The policy aims

"...to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

(a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and

(b) by encouraging the identification of areas of core koala habitat, and

(c) by encouraging the inclusion of areas of core koala habitat in environment protection zones".

A preliminary ecological investigation of the site identified that it is likely that suitable habitat (koala feed tree species) is present as potential habitat is associated with each of vegetation communities on the site given the presence of Tallowood (*Eucalyptus microcorys*), Forest Redgum

(*E. tereticornis*) and Scribbly Gum (*E. signata*). Further investigation of these vegetation communities to ascertain the impact of development on these values will be completed in the environmental assessment.

4.4 KEMPSEY LOCAL ENVIRONMENTAL PLAN (LEP) 1987

Under the Kempsey LEP the site is zoned 2(a) *Residential*. The objective of the zone is “to provide areas for low density residential development”.

Residential subdivision is permissible with consent within the zone. As such the Minister is able to give approval for the project pursuant to sections 75J and 75O of the Act.

4.5 OTHER PROVISIONS

Other plans that apply to the site but do not limit development in a Part 3A application pursuant to Section 75R of EP&A are set out below.

4.5.1 North Coast Regional Environmental Plan 1988

The *North Coast Regional Environmental Plan* (NCREP) sets the basis for new urban and rural development. The aim of the NCREP is to encourage the development of regional policies that protect the natural environment, encourage an efficient and attractive built environment and guide development into a productive yet environmentally friendly sound future. It also aims to provide a basis for growth in the region, optimising the economic social benefits to the local community and visitors.

The controls prescribed under Clause 32B of the NCREP will be taken into consideration in the preparation of the environmental assessment.

4.5.2 Kempsey Shire Council Residential Land Release Strategy 1997

The Kempsey Shire Council *Residential Land Release Strategy* was prepared to satisfy the requirements of the NCREP and seeks to guide future land use decisions in an integrated manner.

The site is identified in the 'Residential Supply Register' located in Schedule 2 of the *Residential Land Release Strategy* as a future release area. The site is identified as short term release (SWR1).

4.5.3 Coastal Design Guidelines for NSW

The coastal design guidelines supplement SEPP 71, regional strategies and local plans and settlement strategies. The guidelines include five principles for coastal settlement structure, namely:

- defining the footprint and boundary of the settlement;
- connecting open space;
- protecting natural edges;
- reinforcing the street pattern;
- appropriate buildings in a coastal context.

The design guidelines will be taken into consideration in the preparation of the environmental assessment.

4.5.4 Kempsey Shire Council Planning Documents

The site is identified for 'short term residential release' in the Kempsey Shire Council *Residential Land Release Strategy 1997*.

Relevant Kempsey Shire Council Development Control Plans (DCP) and policy, include:

- DCP 9 - South West Rocks and Spencerville;
- DCP 22 - Local Housing Strategy (Urban Areas);
- DCP 36 - Guidelines for Engineering and Subdivision;
- Tree Preservation Order;
- Flood Risk Management Policy;
- Tree Preservation Order;

- Parking Code.

While these plans and policies do not strictly apply to a Part 3A application, they will be given regard to, in the subdivision design and environmental assessment.

4.5.5 Other Acts

Pursuant to section 75U of the *EP&A Act* authorisation for a Part 3A application are not required under Coastal Protection Act 1979; Heritage Act; National Parks and Wildlife 1974; Native Vegetation Act 2003; Rivers and Foreshore Improvement Act 1948 and Rural Fires Act 1997.

5. CONSULTATION

5.1 COMMUNITY CONSULTATION

Community consultation is proposed during the preparation of the environmental assessment report. It will target key community groups at South West Rocks and involve the following components.

- Preparation of an information sheet that will be distributed to key community groups and adjacent residents. This will provide information relevant to the project and invite comment.
- Preparation of a second information sheet for respondents following the first consultation to update the community on the process.

If significant issues are raised, targeted consultation with relevant groups would be conducted.

5.2 CONSULTATION WITH GOVERNMENT AGENCIES AND ORGANISATIONS

Consultation will occur with the relevant agencies in the preparation of technical reports prepared as part of the environmental assessment report.

The issues identified in the preliminary assessment of the proposal are set out in Section 6 of this letter. The issues identified are not complex and as such there is no need for the Department of Planning to convene a planning focus meeting.

The applicant proposes to conduct an onsite meeting to enable relevant government agencies (state government departments and Kempsey City Council) to inspect the site and gain an understanding of the project. This will enable the agencies / departments to provide informed comments to the Department of Planning when comments are sought regarding the Director General's requirements.

6. KEY ENVIRONMENTAL ISSUES

Key issues identified in a preliminary environmental assessment are set out in Table 1, below.

Table 1: Key Environmental Issues

Key Environmental Issues	Potential Impacts and Proposed Mitigation
Bushfire	<p>The site is adjacent to bushland reserved in the adjoining National Park to the south and rural residential properties to the east and therefore the risk of bushfire will be an ongoing threat to the project. To manage bushfire risk to protect life and property a <i>bushfire management plan</i> will be prepared as part of the environmental assessment that identifies bushfire hazards relevant to the site, assesses bushfire risk in accordance with the methodology outlined in <i>Planning for Bushfire Protection</i> (NSW RFS 2001) and the current NSW guideline document for such assessments and recommends appropriate bushfire protection measures.</p>
Landscape and Visual Impact	<p>The site contains numerous exotic and native trees and is at the entrance to South West Rocks along Gregory Street, with bushland and rural land to the south. The development proposes the retention of mature trees throughout the development areas for landscaping. This retains aesthetic values of the site, while potentially being of benefit for stormwater infiltration and common native wildlife. All trees to be retained will be indicated in the environmental assessment report. An arborist report of all trees to be retained on site will be completed as part of the environmental assessment to identify the species and condition of the tree and any remedial works required to render the tree appropriate for retention in the urban environment. The visual implications of the subdivision will be addressed in the environmental assessment report.</p> <p>Given the topography of the site the proposal will have no impact on views from the coastal foreshore area. The subdivision design will consider the aesthetics and enhancement of the site as the 'entrance to South West Rocks'.</p>
Threatened Flora and Fauna Impact	<p>A preliminary assessment has identified the presence of the:</p> <ul style="list-style-type: none"> • Forest Redgum Woodland community, which is consistent with the endangered ecological community definition of Subtropical Coastal Floodplain Forest, on the western section of the site; • threatened Masked Owl, which is listed as 'vulnerable' in the schedules of the NSW <i>Threatened Species Conservation Act 1995</i> (TSC Act)

Key Environmental Issues	Potential Impacts and Proposed Mitigation
	<ul style="list-style-type: none"> • Squirrel Glider and Brush-tailed Phascogale, which are listed as 'vulnerable' in the TSC Act; • Grey-headed Flying Fox, which is listed as 'vulnerable' in the TSC Act and the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act); • Little Bent-wing Bat, which is listed as 'vulnerable' in the TSC Act. <p>Preliminary report and database assessments identified that the following threatened species are likely to occur in the study area:</p> <ul style="list-style-type: none"> • the Leafless Tongue Orchid (<i>Cryptostylis hunteriana</i>); • the Powerful Owl; • the Koala; • the Common Blossom Bat; and • threatened microchiropteran bats. <p>No hollow-bearing trees were identified within the site.</p> <p>Further ecological investigation is proposed during the preparation of the environmental assessment report. It will identify the location of any species of significance, assess the implications for the above threatened species that occur or are considered likely to occur on the site and recommend mitigation and amelioration measures at the site.</p>
Stormwater Management and Quality	<p>The proposed development will result in an increase in proportion of the site that is covered by impervious surfaces as it will involve the construction of paved surfaces, such as road and driveways and provide for the construction of dwellings. As such there will be an associated increase in stormwater runoff that will have to be managed.</p> <p>SEPP14 wetlands are located to the south of the site and Spencers Creek is located west of the site. There are no natural drainage lines on the site. Runoff from the site is not expected to flow to nearby SEPP 14 areas however, this will be confirmed when investigating the drainage pattern of the site.</p> <p>A Stormwater management plan (SMP) that addresses appropriate stormwater quality control measures will be investigated as part of</p>

Key Environmental Issues	Potential Impacts and Proposed Mitigation
	<p>the environmental assessment report. Stormwater quality from the proposed development will need to meet relevant guidelines and standards, including <i>ANZECC, 2000 Guidelines for Fresh and Marine Water Quality</i>, before discharge to Spencers Creek. The SMP will also:</p> <ul style="list-style-type: none"> • address Department of Natural Resources and Kempsey Shire Council requirements for erosion and sediment control at discharge points of piped drainage and in all areas disturbed during construction; • provide details of lot-based stormwater management, water quality monitoring and system risk mitigation measures; • provide details to meet NSW Basix water conservation requirements.
Flooding	<p>The west portion of the site, below the 3.6 metres contour, is flood prone from Spencers Creek and an assessment will be made of appropriate flood mitigation measures. No computer flood modelling is required because flooding it relates to 'backwater' only and not open channel flow and affects only a small proportion of the site.</p> <p>Floodways or overland flow paths within the proposed development will address the Kempsey Shire Council's DCP 36 - Guidelines for Engineering and Subdivision.</p>
Social and Economic Impacts	<p>A preliminary assessment of the socio-economic implications of the proposal addressed population and housing demand and the potential impact on existing social services.</p> <p><i>Population and Housing Demand</i></p> <p>The current population of South West Rocks is estimated to be between 5,000 and 5,500 persons (Kempsey Council 1994). South West Rocks has experienced relatively strong residential growth in recent years with the population increasing by 5 per cent per annum in recent years. It is estimated that the population will reach 7,500 persons by 2016. The <i>Kempsey Residential Release Strategy</i> (1997) predicts that 74.1 hectares of residential land at South West Rocks will be required between 2006 and 2016 to meet housing demand. The project will meet part of the demand for housing in South West Rocks by providing the opportunity for 44 new houses in South</p>

Key Environmental Issues	Potential Impacts and Proposed Mitigation
	<p>West Rocks.</p> <p>The figures for household type by age indicate the predominance of couples without children ('empty nesters') and lone person households, which is indicative of an aging population. The proposal provides for low density detached dwellings, which would appeal to families and contribute to a more diverse population within South West Rocks. It is considered that the proposal will introduce only 44 households to the township and therefore will not unduly influence the population demographics so as to cause undesirable impacts.</p> <p><i>Implications on Existing Community Services</i></p> <p>The site is well located in proximity to a range of community and commercial facilities. The site is located close to health and medical facilities. There are six medical centres in South West Rocks, of which three are medical centres with three or more doctors. The other three are sole practices. Each offer general medical services and some small surgical procedures. The existing medical services appear to meet the demand of the population and would not be adversely affected by the 44 proposed new residential lots. A new community medical centre has been constructed north of The Rocks shopping centre. This centre provides an extension of consulting services provided by the Kempsey Base Hospital.</p> <p>The site well located to schools in the area including South West Rocks Public School in Gregory Street, Kinchela Public School in Kinchela and Kempsey High School in Kempsey. There is also one pre-school and three playgroup services in South West Rocks.</p> <p>The site is well located to commercial services and facilities, in particular 'The Rocks' shopping centre is located approximately 650 metres north of the site. It includes a major supermarket (Bi-lo), food outlets, medical centre, nursery and other specialty shops.</p> <p>Other community facilities currently available within South west Rocks include:</p> <ul style="list-style-type: none"> • sporting facilities, including a golf course and bowling club, public pool, squash and tennis courts, and 2 hectares of sports fields near the South West Rocks Country Club;

Key Environmental Issues	Potential Impacts and Proposed Mitigation
	<ul style="list-style-type: none"> • foreshore open space areas, in the form of parks and beachside areas at Front Beach and Horseshoe Cove; • a waste transfer station located on Arakoon Road; • a Community Hall and library in the town centre. <p>In addition, as the site is within a future urban development area in the <i>Kempsey Residential Release Strategy</i>, the proposal has been allowed for in strategic planning of infrastructure provision.</p> <p><i>Economic</i></p> <p>The project is for a residential development only. Employment generation associated with the construction phase of the development and spin off expenditure within the local community will be positive socio-economic impact associated with the construction phase of the development. It is anticipated that the construction workforce will include 15 to 20 people. Local workforce will be used where possible.</p> <p>In summary preliminary assessment of the project indicated that:</p> <ul style="list-style-type: none"> • it will generate employment; • the site is well located in proximity to a range of community services and commercial facilities; • the site is zoned for residential development. <p>Therefore no further socio-economic investigations will be required as part of the environmental assessment report.</p>

Heritage	<p>ERM completed a search of the Department of Environment and Conservation Aboriginal Heritage Information Management System (AHIMS) database in February 2006. The search identified that the area within a 3.5 km radius around the site includes:</p> <ul style="list-style-type: none"> • 70 recorded sites, which comprise of 61 middens (two of which are associated with burials, one associated with an open campsite, and one associated with a burial and open campsite), three burials, two open campsites, one bora/ceremonial site and scarred tree, one natural mythological (ritual) site, one contact mission (on nearby Pelican Island) and one scarred tree. • individually recorded open campsites and burials within a radius of approximately 500 metre radius from the site. <p>The search also identified that midden exposures occur along Spencers Creek in close proximity to the site, with two of the midden exposures appearing to be within the site. It is acknowledged however, that the reformatting of the AHIMS database geographic coordinates may have resulted in some inaccuracy with these new coordinates.</p> <p>In a report prepared for Connell Wagner titled <i>Local Environmental Study, Phillip Drive, South West Rocks, NSW Mid-North Coast: Aboriginal Heritage Assessment</i> Collins (2004) states that sites in this area "<i>display a very strong association with well-drained ground, particularly foredunes and footslopes/natural rises bordering estuarine channels [such as Spencers Creek] and swamps</i>".</p> <p>Given the proximity of the site to Spencers Creek and to recorded aboriginal heritage sites, and the possibility of two midden exposures located within the site, it is likely that additional aboriginal heritage sites may be found within the site.</p> <p>ERM completed a search of the Heritage databases (including the Register of the National Estate, National Heritage List, commonwealth Heritage List and the NSW Government Gazette) in February 2006. The search revealed 14 registered heritage sites in the South West Rocks area, of which none of the sites were within the site. The closest heritage site is Hat Head National Park, which is approximately one kilometre to the south east. Other sites include Boatman's Cottage No 2 Pilot Station Group and Pacific Guest House, which are two to three kilometres to the north, Smokey Cape Lighthouse/Group, which is located four kilometres to the east, Arakoon State Recreation Area, which is located four kilometres to the north west, Green Island Grey Nurse Shark Habitat, which is</p>
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	<p>located 4.5 kilometres to the east, Trial Bay Gaol which is located 4.5 kilometres to the north west, Fish Rock Grey Nurse Shark Habitat and Fish Rock Marine Reserve Proposal, which is located six kilometres to the south east and Clybucca Aboriginal Area which is located ten to 15 kilometres to the west. Three Indigenous Places were also recorded but no location details were provided.</p> <p>In view of the preliminary assessment an aboriginal heritage impact assessment will be completed as part of preparing the environmental assessment report. The heritage impact assessment will include a site survey and consultation with the local Aboriginal community.</p>
Utilities	<p>There are existing utility services in proximity to the site. To ensure that utilities and services are sufficient to service the development an investigation of available services in the locality will be undertaken as part of the environmental assessment report.</p>
Traffic	<p>Gregory Street is the main arterial road into South West Rocks with 60 kilometres per hour speed limit and provides access to The Rocks' Shopping Centre. The crossing of Spencers Creek to the south of the site is the sole access point to South West Rocks Arakoon, Hat Head and New Entrance. Cooper Street is an unmade road that serves approximately ten rural residential properties. Arakoon Road links Gregory Street/South West Rocks Road with the residential and rural residential areas of Arakoon to the east. It also caters for tourist vehicle movements to Lighthouse Road, Hat Head National Park and the Arakoon State Recreation Area.</p> <p>The proposal provides for future residential use of the land, generating traffic in the area. A traffic management plan will be prepared to examine the potential traffic impacts of the development on the external traffic network (Arakoon Road, Gregory Street and Cooper Street), assess traffic safety implications using existing Roads and Traffic Authority accident data for the vicinity, assess the design of the internal traffic network in accordance with applicable standards and discuss the implications for public transport, pedestrian and cyclist amenity. Consideration will be given to implications of accessing future lots that are part of the proposed 44 lot subdivision from Gregory Street, Arakoon Road and Coopers Street to ascertain the appropriate access.</p> <p>Liaison will occur with Kempsey Council to establish appropriate road and engineering design characteristics of the development to provide for residential amenity and road safety.</p>

Acid Sulphate Soils	The topography is relatively level and as such minimal cut and fill will be required. A review of Kempsey Acid Sulphate Maps shows that the site is not included in the area where acid sulphate soils exist. As such no further investigations will be required.
Geotechnical	It is proposed that a lot classification geotechnical report be submitted to Kempsey Shire Council prior to the release of the final plan of subdivision to be included in the statement of commitments. As such no further investigations will be required as part of the environmental assessment report.

7. CONCLUSION

This letter details our proposed approach to the assessment of issues. In summary we consider the key issues that require further investigation as part of the environmental assessment report to be:

- bushfire management;
- flora and fauna assessment;
- landscape and visual impact assessment;
- heritage;
- traffic management;
- stormwater management and flooding;
- the provision of utilities.

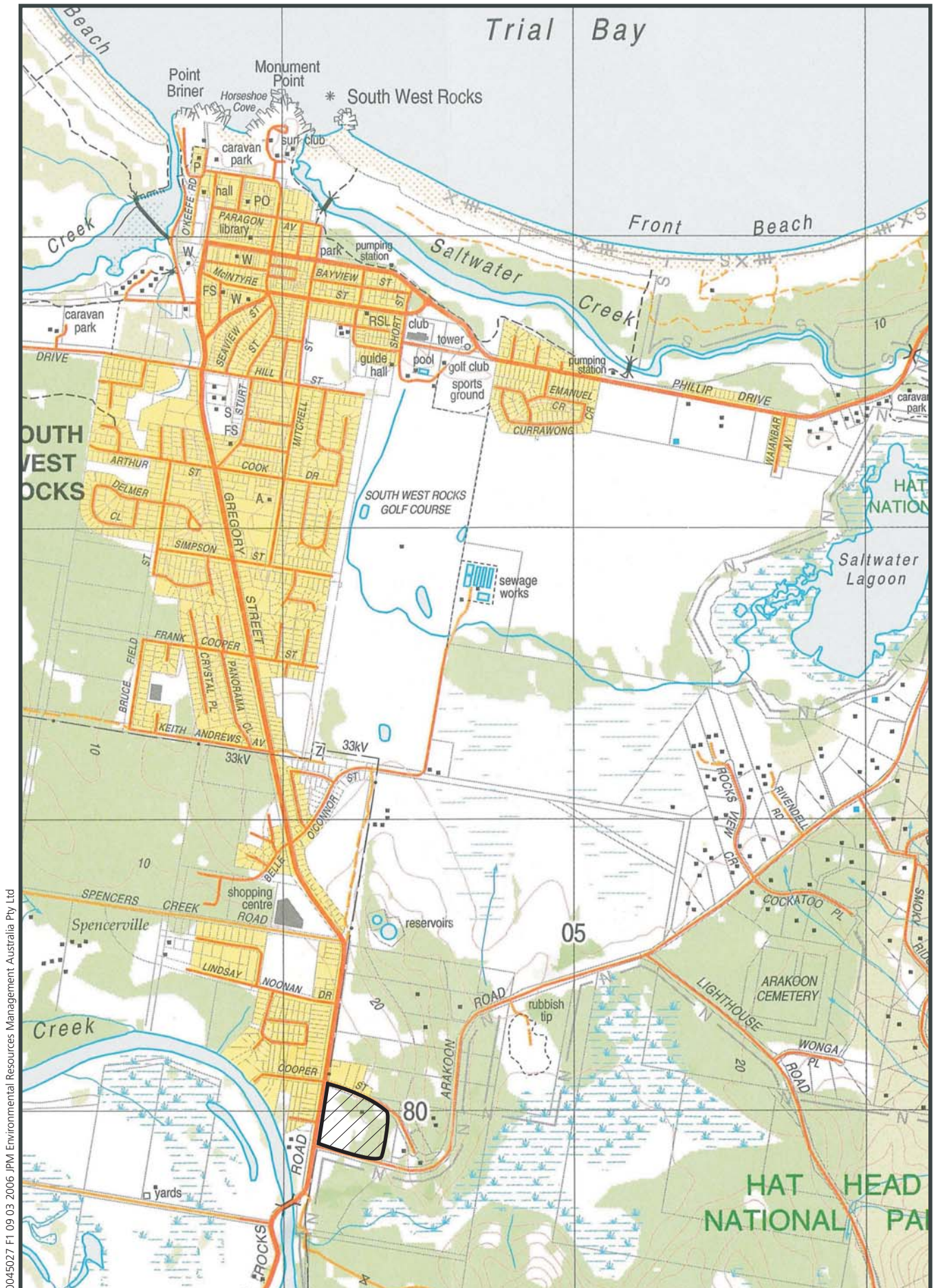
On behalf of the proponent, we seek the requirements for the preparation of an Environmental Assessment to enable an application to be submitted under Part 3A of the EP&A Act.

Should our have any queries or require further clarification, please contact Fiona van der Hoeven (8584 8827) or Christine Allen (6584 2811).

Yours Sincerely,
for Environmental Resources Management Australia Pty Ltd

Appendix A

LOCALITY PLAN



0045027 F1 09 03 2006 JPM Environmental Resources Management Australia Pty Ltd

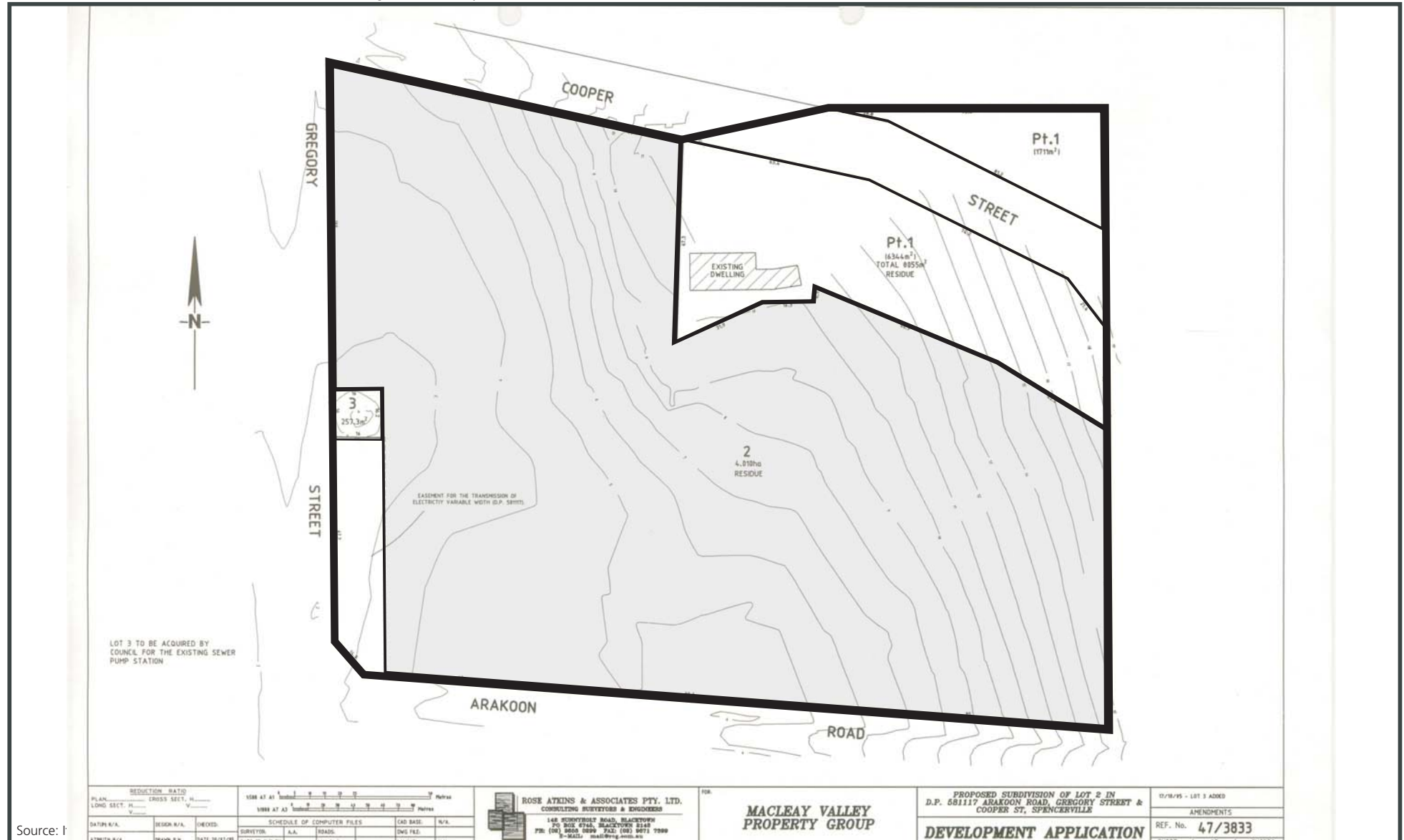


Figure 1 Locality Plan

South West Rocks - Rosarii

Appendix B

CONCEPT / PROJECT PLAN



Source: I

Figure 2 Concept Project Plan



Appendix C

APPLICATION FORM AND
CONSENT AUTHORITY

Major Projects application



NSW GOVERNMENT
Department of Planning

Date received: ____/____/____

Project Application No. _____

1. Before you lodge

Under Section 75E of the *Environmental Planning and Assessment Act, 1979* (the Act) this form is required to apply for the approval of the Minister to carry out a Project to which Part 3A of the Act applies.

Before lodging this application, it is recommended that you first consult with the Department of Planning (the Department) concerning your Project.

Please be aware that before lodging this application you may need to conduct a Planning Focus Meeting that involves the Department, relevant agencies, Council or other groups identified by the Department. If you are required to conduct a Planning Focus Meeting, you will need to provide details on the meeting and any outcomes arising from it.

So that your application to carry out a Project is accepted as being duly made, you will need to

- complete ALL parts of this form, and
- submit all relevant information required by this form.

All applications must be lodged with the Director-General, by courier or mail.

Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001

2. Details of the Proponent

Part 3A identifies that the Proponent as the person proposing to carry out development comprising all or any part of the project.

Company/organisation/agency

ABN

Macleay Valley Property Group Pty Ltd

51115468445

☐ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Peter

Family name

Anderson

STREET ADDRESS

Unit/street no.

1 / 179

Street name

Northumberland Street

Suburb or town

LIVERPOOL

State

NSW

Postcode

2170

POSTAL ADDRESS (or mark 'as above')

PO Box 3254

Suburb or town

NARELLAN

State

NSW

Postcode

2567

Daytime telephone

02 9603 3702

Fax

02 9603 3702

Mobile

0425 364 332

Email

3. Identify the land you propose to develop

STREET ADDRESS

Unit/street no.

334 – 356

Street or property name

Gregory Street

Suburb, town or locality

SOUTH WEST ROCKS

Postcode

2431

Local government area

KEMPSEY

REAL PROPERTY DESCRIPTION

Lot 2 in DP 581117

OR: A detailed description of the land to which this application applies is attached: ☐

The real property description is found on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the Major Project applies to more than one piece of land, please use a comma to distinguish between each real property description.

If Clause 8F of the *Environmental Planning and Assessment Regulation 2000* applies to this Project, then this section does NOT need to be completed. However, you must ensure that the documents required by Part 4 below identify the land to which this Project applies.

4. Proposed Major Project – Description and other Requirements

Provide a brief title for your Project that includes all significant components. If the application relates to only part of a Project, include a clear title that describes the relevant part.

A three lot subdivision of the site: Lot 1 will include an area of approximately 8055 square metres, Lot 2 will have an area of approximately 4.01 hectares and Lot 3 will have an area of approximately 257.3 square metres.

A 44 lot subdivision of Lot 2, which will include an internal road.

Is the application related only to a part of a Project? ☐ Yes ☒ No

You are also required to provide a Preliminary Assessment and address any matters required by the Director-General in accordance with 75E of the Act. Failing to do so may lead to your application being rejected.

Is a Preliminary Assessment attached:

Hard copy:

☒ Yes ☐ No

Electronic version:

☒ Yes ☐ No

(NB: An electronic copy is required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format).

Is the Preliminary Assessment consistent with the requirements of any Guideline produced by the Department (including any draft)? ☒ Yes ☐ No

Does the Preliminary Assessment include additional matters required by the Director-General, such as evidence of a Planning Focus Meeting and consultation? ☐ Yes ☒ No

CONCEPT PLAN

Is there an existing approved Concept Plan for the Site? ☐ Yes ☒ No

If Yes, the Preliminary Assessment must provide details on the Concept Plan approval.

Does this application involve submitting a Concept Plan for the Project? ☒ Yes ☐ No

If Yes, does the Preliminary Assessment address the Department's *Concept Approval Guidelines*? ☒ Yes ☐ No

FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed Major Project. This should be expressed as a proportion of full time jobs over a full year.

Construction jobs (full-time equivalent)

15 - 20

Operational jobs (full-time equivalent)

0

5. Approvals from State agencies

Does the proposed Major Project require any of the following: (tick all appropriate)

- ☐ an aquaculture permit under Section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under Section 15 of the *Mine Subsidence Compensation Act 1961*
- ☐ a mining lease under the *Mining Act 1992*
- ☐ a production lease under the *Petroleum (Onshore) Act 1991*
- ☐ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- ☒ a consent under Section 138 of the *Roads Act 1993*

6. Capital Investment Value

The Capital Investment Value of the development includes all costs necessary to establish and operate the development, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment (but excluding land costs).

Estimated Capital Investment Value of Project: \$ 2,900,000

7. Owner's Consent

As the owner(s) of the above property, I / we consent to the Proponent making this application on our behalf:

Signature

see attached

Name

Macleay Valley Property Group
Pty Ltd

Date

10th March 06

Signature

see attached

Name

M Tramby & S Scott

Date

10th March 06

Note: The Department will **not** accept an application for a Major Project without having the signature of the owner of the land, **unless** the Major Project is subject to Clause 8F of the *Environmental Planning and Assessment Regulation 2000*.

8. Proponent's Signatures

As the Proponent(s) of the proposed Major Project proposing to carry out development comprising all or any part of the project and, in signing below, I / we hereby:

- have provide an accurate description of the Project and have addressed all matters required by the Director-General pursuant to Section 75E of the Act, and
- request the Director General, subject to satisfying Clause 8D of the *Environmental Planning and Assessment Regulation 2000*, to prepare Environmental Assessment Requirements pursuant to Section 75F of the Act, and
- declare that the information contained within this application is accurate.

Signature 1



Name

Peter Anderson

Date

10th March 06

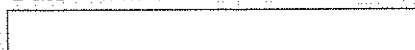
Signature 2



Name



Date



The Director of Urban Assessments
The Department of Planning
Office of Sustainable Development Assessment and Approvals
23-33 Bridge Street,
Sydney, NSW 2000.

Attention: Gordon Kirkby

Re: Major Project No 05 0058

**"ROSARII" No 334-356 Gregory Street, South West Rocks
Lot 2 in DP 581117**

Dear Gordon

We hereby grant owner's consent to Macleay Valley Property Group to lodge any relevant application in regards to the development assessment and approval of the abovementioned development.

Yours truly,



Marilyn Elizabeth Tramby



Stephen Michael Scott

MVPG

Macleay Valley Property Group Pty Limited

Po Box 5254 Narellan NSW 2567 Phone/Fax 9605 5702
Suite 2, Level 1 - 179 Northumberland Street, Liverpool NSW 2170.

A.C.N 115 468 445
A.B.N 51 115 468 445

The Director General
The Department of Planning
23-33 Bridge Street,
Sydney, NSW 2000.

7th March 2006

Re: Major Project No 05 0058

"ROSARII" No 334-356 Gregory Street, South West Rocks
Lot 2 in DP 581117

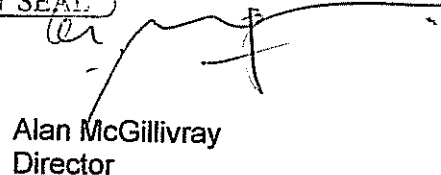
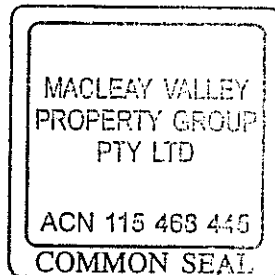
Dear Sir

We hereby provide owner's consent for the lodgement of the Major Projects Application and request for the Director General's requirements for the abovementioned property.

Yours truly,



Peter Anderson
Director



Alan McGillivray
Director