

Director-General's Requirements

Section 75F of the Environmental Planning and Assessment Act 1979

Project	<p>Concept Plan for a residential subdivision of the Middle Camp site:</p> <ul style="list-style-type: none"> • A new coastal village of up to 300 dwellings; • Dedication of conservation land comprising approximately 91% of the site; and • Associated infrastructure. <p>Project Application for the following works:</p> <ul style="list-style-type: none"> • Torrens title boundary realignment of the conservation lands (530ha) from the development lands (50ha); • Torrens title subdivision for Stage 1 of the site into approximately 100 lots to accommodate a future 100 dwellings (approx); • Road construction; • Bulk excavation; • Earth works; • Stormwater, sewer and water infrastructure; • Electrical and communications infrastructure; and • Landscape works including parks and riparian corridors as appropriate to the concept plan.
Site	<p>Middle Camp Lot 202 DP 702669, Lot 2030 DP 841175, Lot 6 DP 746077, Lot 5 DP 736170, Lot 12 DP 854197, Lot 22 DP 593154 and Lot 16 DP 755266</p>
Proponent	Coal & Allied Operations Pty Ltd
Date of Issue	30 July 2007
Date of Expiration	30 July 2009 (2 years from date of issue)
General Requirements	<p>The Environmental Assessment (EA) must include</p> <ol style="list-style-type: none"> (1) an executive summary; (2) a detailed description of the project including the: <ol style="list-style-type: none"> (a) strategic justification for the project; (b) alternatives considered; and (c) various components and stages of the project in detail (and should include infrastructure staging); (3) a consideration of the following with any variations to be justified: <ol style="list-style-type: none"> (a) all relevant State Environmental Planning Policies (with particular regard to Major Projects SEPP, SEPP 55, SEPP 71 and <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>, (b) applicable planning instruments, (c) relevant legislation and policies, including the <i>NSW Coastal Policy 1997</i>, Lower Hunter Regional Strategy, and the draft Central Coast Regional Strategy, (4) a consideration of the proposal and cumulative impacts in relation to the development of other future urban land identified in the Lower Hunter Regional Strategy, (5) a draft Statement of Commitments, outlining commitments to the project's management, mitigation and monitoring measures with a clear identification of who is responsible for these measures; (6) a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, mitigation measures to address these impacts, the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest; (7) Identify the development contributions applicable to the site and, if relevant, and any public benefits to be provided with the development, consistent with any development contributions plans prepared to date; (8) A signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading; and

	(9) A report from a quantity surveyor identifying the correct capital investment value for the concept plan and the four project applications.
Key Assessment Requirements	<p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> 1. Urban design and built form - Demonstrate that the proposed development is generally consistent with the <i>Coastal Design Guidelines for NSW</i> and <i>NSW Coastal Policy (1997)</i>. Demonstrate that the type, bulk, scale, size and design quality controls for future development on the site respond to the location appropriately. Provide details of staging including conceptual design; and indicative FSR, site coverage, heights and built form. Address Crime Prevention Through Environmental Design principles with consideration given to surrounding areas; pedestrian and bicycle movement to, within and through the site; key connections to the existing village and coast. 2. Coastal Foreshore and Public Access – Outline measures to protect and enhance existing public access through the site to and along the foreshore and provide, where appropriate, new opportunities for public access that is compatible with the natural attributes of the coastal foreshore. 3. Flora and Fauna impact Address the impact of the development on threatened species and their habitats having regard to DECC's Threatened Species Assessment Guidelines and detailed measures proposed to avoid or mitigate impacts on threatened species and their habitat. 4. Traffic and Transport – Prepare a Traffic Study in accordance with RTA's <i>Guide Traffic Generating Developments</i> that includes (but is not limited to) the following: <ol style="list-style-type: none"> (a) An identification of all relevant vehicular traffic routes and intersection for access and egress, (b) Current traffic counts for all of the above traffic routes and intersections, (c) The anticipated vehicular traffic generated from the proposed lots (d) Consideration of the traffic impact on the existing intersections and the capacity of the Pacific Highway to safely and efficiently cater for the additional vehicular traffic generated, (e) An analysis of the cumulative traffic and transport impacts of this development on the existing township and taking into consideration other proposed developments, (f) Traffic analysis, using SIDRA or similar traffic model, for the relevant intersections including: <ol style="list-style-type: none"> (i) Current and traffic growth projects for the life of the project, (ii) 95th percentile back of queue lengths, (iii) Delays and level of service on all legs. 5. Former Mining Activities <ol style="list-style-type: none"> (1) Identify the requirements of previous consents, approvals, lease arrangements, and current legal and financial responsibilities in relation to the mine operation and closure and the impact approvals will have on these arrangements. (2) Provide a risk analysis examining the risk factors associated with the former mining use of the site and what effects it may have on future development. (3) Investigate the impacts of future mining activities. 6. Heritage – Provide a heritage impact statement in accordance with NSW Heritage Office guidelines. The statement should assess the impacts of the application on the area and any significant components of the site. The heritage significance of the area and any impacts the

proposed development may have upon this significance is to be assessed. The EA is to address the requirements set out in DECC's *"Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation"*.

7. Utilities and Infrastructure

- (1) Prepare a utility and infrastructure servicing report and plan for the Site that includes (but is not limited to):
 - (a) Identification and assessment of the capacity of existing utility and infrastructure servicing the site,
 - (b) Identification and assessment of all necessary augmentation works to service the site and whether these works can sustain this and others development foreshadowed for the Wallarah Peninsula shown in the Lower Hunter Regional Strategy.
- (2) Provide appropriate detailed information on the drainage and stormwater management measures to be incorporated on site, including (but not limited to) on site stormwater detention, water sensitive urban design measures, the impact on the quality of surface water, groundwater, the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or a rock platform).

8. Ecologically Sustainable Development – Demonstrate how the development will commit to ESD principles in design, construction and ongoing operation phases.

9. Energy Savings Action Plan

- (1) Demonstrate that the development is capable of achieving the requirements of BASIX and what (if any) commitments will be made on other environmental rating tools such as Greenstar and the Australian Building Rating Scheme.
- (2) Prepare an Energy Savings Action Plan in accordance with the requirements of the DWE and the *Guidelines for Energy Savings Action Plans*, DEUS 2005.

10. Visual Impact - Address visual impacts of the project in the context of adjoining development, impact on any heritage items (on-site or in the vicinity) and the development as viewed from publicly accessible areas and the natural environment.

11. Bushfire – Demonstrate compliance with the current version of *Planning for Bush Fire Protection* and *Australian Standard 3959 (Building in Bush Fire Prone Areas)*. The EA is to identify the ongoing management arrangements of any proposed APZs.

12. Impact on Crown Land – Identify potential direct and indirect impacts arising from development on the adjacent Munmorah State Conservation Area, Point Wollstonecraft State Recreation Area and Lake Macquarie State Recreation Area.

13. Planning Agreements and/or Developer Contributions

The environmental assessment should identify and address the additional demand created by the development on existing public transport, open space and recreation facilities, including retail facilities and other social and community facilities. The likely scope of a planning agreement and/or developer contributions between the proponent, Council and other agencies for matters such as community, regional and local infrastructure, public transport provision, social infrastructure and facilities either onsite or within the LGA are to be detailed.

14. Site preparation works

Provide a report that includes (but is not limited to):

- (a) a detailed survey showing existing and proposed levels and quantities of fill necessary for site preparation works, and
- (b) details on the source of fill including types of materials and their

	<p>source, and</p> <p>(c) details on whether contaminated soils are likely to be disturbed during the proposed works and what measures are to be adopted to protect human health and the environment, and if necessary remediate or dispose of the contaminated material.</p> <p>15. Subdivision</p> <p>(1) Provide proposed plans of subdivision that identify all covenants, easements and notations proposed for each land title and, if relevant, how the subdivision is to be staged.</p> <p>(2) Provide detail on the management arrangements for all land to be subdivided, including (but not limited to) titling arrangements; land ownership (particularly future public land); and all proposed covenants and restrictions, including those relating to access.</p> <p>(3) Outline the long-term management and maintenance of any areas of open space or conservation, including the ownership and control, management and maintenance of funding public access revegetation and rehabilitation works and bushfire management.</p>
Consultation Requirements	<p>An appropriate and justified level of consultation should be undertaken with the following relevant parties during the preparation of the environmental assessment.</p> <p><i>a) Agencies and other authorities:</i></p> <ul style="list-style-type: none"> • Commonwealth Department of Environment and Water Resources; • Lake Macquarie Council; • Wyong Shire Council; • IHAP constituted for this project • Hunter Water; • Gosford/Wyong Council's Water Authority; • Local Aboriginal Land Council; • Catchment Management Authority - Hunter – Central Rivers; • NSW Department of Natural Resources; • NSW Department of Primary Industries; • NSW Department of Environment and Climate Change; • Heritage Office, Department of Planning; • NSW Roads and Traffic Authority; • NSW Emergency Service agencies, namely NSW Police Department, the Ambulance Service of NSW, the State Emergency Service, NSW Rural Fire Service, and NSW Fire Brigades; and • All utility providers. <p><i>b) Adjoining Landowners</i></p> <p>Consultation with adjoining landowners is to be undertaken to discuss and address, where appropriate, the cumulative impact of new development within the Wallarah Peninsula upon the existing townships including potential impacts upon existing and proposed regional and local infrastructure.</p> <p><i>c) Public</i></p> <p>Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy.</p> <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>
Landowner's Consent	Landowner's consent is to be provided within the EA in accordance with clause 8F of the <i>Environmental Planning & Assessment Regulation 2000</i> .
Deemed refusal period	60 days