

**Riverside at Tea Gardens: Responses to submissions received from Government Agencies and the community - November 2012**

Authority	Issue Raised	Reference	Submission	Reply
Catchment Management Authority	Biodiversity Offsets	1(a)	CMA supports the use of the Bio banking methodology, but requests that "offsets be provided at the commencement of the project to ensure the risk of short term reduction in biodiversity values is minimised.	The CMA's comments are noted. The proponent has committed to the preparation of an Offsetting Package in accordance with the provisions outlined in the EA and BioBanking Assessment. The Package will outline the quantum and timing of delivery of Biodiversity offsets. It should be noted that the proposed Concept Plan is a development which will be staged over a number of years, and contains significant on site biodiversity offsets as part of the proposal. As such, the proposal is one which we believe could be demonstrated to be suited to a staged offset implementation package, which sees offsets secured ahead of impacts in all cases on a staged basis. The detail of this proposal will be contained within the Offsetting Package which is committed to be provided prior to any development taking place on site.
	Acid Sulfate Soils	1(b)	CMA supports the requirement for a detailed Acid Sulfate Management Plan being required for any future development application.	Noted, commitments have already been made to prepare this Management Plan within the SOC.
Busways	Public Transport	2(a)	Busways indicate a preferred bus route for consideration by the proponent incorporating a turning head for buses to enable a u-turn en route.	The Proponent notes the recommended route by Busways and confirms the road network Hierarchy (as proposed) is designed to cater for the suggested route. As the proposal will be developed in stages, the proponent has added a commitment to the SOC to reflect the provision of temporary turning heads during construction as required to facilitate a bus U-turn. It has also added a commitment to provide a permanent turning head at a location to be nominated in consultation with Busways - if required. It should be noted that proposed development at the adjacent North Shearwater site may ameliorate the need for a turning head to be provided.
	Funding contributions	2(b)	Busways request "seed funding" to assist in the provision of public transport in the area	Busways request is noted - however the proponent is of the belief that this is not an appropriate matter to be dealt with under the Part 3A assessment process.
	Road Design	2(c)	Busways advise that any traffic calming measures or roadside plantings should be appropriate for the operation of 12.5m buses and that any pedestrian propriety areas should be located away from the main bus route.	Requirements are noted. Future development applications will consider these requirements.
Marine Parks Authority (MPA)	Potential impacts on Water quality	3(a)	MPA state its general objectives and recommendations for maintaining the quality and quantity of storm water runoff to down stream eco systems in order to avoid impacts.	Comments are noted - The Proponent is of the belief that these general requirements have been achieved within the Revised Water Management Strategy and are consistent with the Concept Plan.
	Waterfront	3(b)	MPA state its general objectives and recommendations for restricting foreshore impacts by restricted visitation and the minimising edge effects from development.	Comments are noted - The Proponent is of the belief that these general requirements have been achieved and are consistent with the Concept Plan. A revised Water Management Strategy has been prepared which covers areas of stormwater and groundwater management. Part of the stormwater system design principles is to limit public access to the areas SEPP 14 wetlands. Changes in the development layout have increased the buffer between estuary, wetlands and forested areas and development due to increased setbacks of development.
	Erosion and sedimentation control	3(c)	MPA state its general objectives and recommendations for ensuring proper erosion and sedimentation control is undertaken. It sets out recommendations for consideration prior to development occurring on site.	Comments are noted - The Proponent is of the belief that these general requirements have been achieved and are consistent with the Concept Plan. Further detail information will be provided at the development application stage consistent with the Concept Plan.
	Maintenance of linkages	3(d)	MPA state its general objectives and recommendations for maintaining biodiversity linkages to and from land which is adjacent the Marine Park	Comments are noted - The Proponent is of the belief that these general requirements have been achieved and are consistent with the Concept Plan. One of the revised Water Management Strategy design principles is to preserve the hydrologic regime; and the protection of the existing saltwater lake, groundwater and river receiving waters. Proposed Biodiversity measures address linkages across the

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Roads and Maritime Services / Regional Development Committee	Traffic Impact Assessment (TIA)	4(a)	The Traffic generation rates specified in the RTA's guide to Traffic Generating Developments are to be adopted for the Traffic Impact Assessment. Significant evidence and justification would be required for changes to these rates to be accepted	<p>The trip generation applied by BTF in their report used the RTA Guide but included in the following:</p> <ul style="list-style-type: none"> <li>A reduction for internal trips; and</li> <li>A reduction to account for expected levels of retirees.</li> </ul> <p>Both of these discount factors are considered justified given the likely demographic which will be accommodated within the Concept Plan and the high level of pedestrian access provided for. These two factors accounted for a 35% reduction in the per dwelling trip rate from 0.85 trips per dwelling to 0.55 trips per dwelling.</p> <p>As the RTA guide specifies a 25% reduction for internal trips is acceptable, the overall reduction of 35% is considered more than reasonable given the level of non-workers in this type of estate. It is our understanding that this rate has been applied and accepted in relation to other similar developments by RMS. (Refer Section 4.2 of report)</p>																					
	TIA	4(b)	The traffic data used for the TIA is from traffic surveys undertaken in March 2007. This data should be updated to reflect current traffic volumes.	<p>The initial TIA was completed in 2007 and updated traffic surveys have been completed in October 2012.</p> <p>Future design year analysis for 2017 and 2022 has been provided. (Refer Section 3.3.1)</p>																					
	TIA	4(c)	The percentage directional flows adopted in the TIA for Myall Street shall be confirmed. It is noted there are discrepancies in some of the figures provided.	<p>The directional split for the analysis has been based upon the observed directional split from the surveys completed in October 2012. These surveys show that 70% of trips are from / to Hawks Nest.</p> <p>This split has been applied to the analysis for the future development. (Refer Section 3.3.1 and Appendix A)</p>																					
	TIA	4(d)	The intersection of Myall Street and Toonang Drive and any proposed connections to Toonang Drive to / from the development should be included in the TIA.	<p>The Intersection of Toonang Drive and Myall Street has been surveyed and analysed. (Refer section 3.3.1, Appendix A and Table 3-4)</p> <p>The analysis has resulted in the recommendation that the Toonang Drive intersection be upgraded to a Seagull intersection type, before development of the 850 th Lot. A commitment has been added to the SOC to reflect this requirement.</p>																					
	TIA	4(e)	The Developer shall provide a SIDRA analysis (including an electronic copy of the files) for the intersections of Myall Quays Boulevard, Toonang Drive and the proposed second access road with Myall Street. This analysis is to include current and projected (10 year) traffic volumes.	<p>Sidra analysis completed for the intersections on Myall Road for current situation and future, allowing for other developments as well. (Refer section 3.4 and 6.5)</p>																					
	TIA	4(f)	A revised TIA shall be provided to the satisfaction of RMS and Council confirming the required road and transport infrastructure and timing of implementation. A TIA shall also be provided at each stage of the development (Each DA) to confirm the timing of the proposed road and transport infrastructure.	<p>TIA provides summary of road upgrades and timing based upon lot release and is summarised below: (Refer section 6.1);</p> <table border="1"> <thead> <tr> <th>Development Staging</th> <th>Myall Quays Blvde. Intersection</th> <th>Proposed Second Access</th> </tr> </thead> <tbody> <tr> <td>Riverside - 381 Lots</td> <td>Existing</td> <td>-</td> </tr> <tr> <td>Riverside - 590 Lots</td> <td>Existing</td> <td>-</td> </tr> <tr> <td>Riverside - 945 Lots</td> <td>Existing</td> <td>T intersection</td> </tr> <tr> <td>Riverside - 945 Lots + 500 Lots MRD</td> <td>4 Way Signals</td> <td>T intersection</td> </tr> <tr> <td>Riverside - 945 Lots + 1,300 Lots MRD</td> <td>4 Way Signals</td> <td>3 Way Signals</td> </tr> <tr> <td>Riverside - 945 Lots + 1,300 Lots MRD + Industrial</td> <td>4 Way Signals</td> <td>4 Way Signals</td> </tr> </tbody> </table>	Development Staging	Myall Quays Blvde. Intersection	Proposed Second Access	Riverside - 381 Lots	Existing	-	Riverside - 590 Lots	Existing	-	Riverside - 945 Lots	Existing	T intersection	Riverside - 945 Lots + 500 Lots MRD	4 Way Signals	T intersection	Riverside - 945 Lots + 1,300 Lots MRD	4 Way Signals	3 Way Signals	Riverside - 945 Lots + 1,300 Lots MRD + Industrial	4 Way Signals	4 Way Signals
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	Infrastructure	4(g)	RMS suggests that a roundabout or signalised intersection is provided in the initial stages of development at the second	<p>During the initial stages of the development the second access on Myall Street can function as a Give Way control similar to existing controls at Myall Street and Myall Quays Boulevard. This intersection will then be upgraded to provide full signal</p>																					

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			proposed access to Myall Street.	control. (Refer section 6.5) Commitments have been made within the SOC to reflect these requirements.
	Infrastructure	4(h)	Pedestrian crossing facilities and refuges shall be provided on Myall Street as part of the roundabout design / construction.	Noted. Relates to detail design at a later stage. Pedestrian crossing facilities will be included in traffic controlled intersection design.
	Infrastructure	4(i)	Consideration to be given to a signalised mid block pedestrian crossing on Myall Street between Myall Quays Boulevard and the proposed second access road.	The Proponent has agreed to provide signalised intersections at both Myall Quays Boulevard and the second access to Myall Street. Both of these intersections will incorporate pedestrian crossing facilities. A commitment has been added to the SOC accordingly.
	Infrastructure	4(j)	RMS suggests consideration be given to traffic control signals in lieu of roundabouts on Myall Street for both intersections, due to safety for pedestrians and cyclists.	The Proponent has agreed to replace both roundabouts with signalised intersections. The revised documentation incorporates these amendments. (Refer section 6.5)
	Infrastructure	4(k)	Bus stop and shelter facilities are to be provided along both sides of Myall Street adjacent to safe pedestrian crossing facilities.	Noted. Relates to detail design at a later stage. A commitment has been added to the SOC accordingly.
Transport for NSW	Buss Access	5(a)	TfNSW suggests that diversions for bus access into the Riverside site may not be supported by the local provider due to impacts on long distance travel times.	Comments are noted, the road network has been designed to cater for the facility and Busways have indicated a preferred route. It will be up to the local provider at a future date to decide how to structure the programming and regularity of the service.
	Road and Cycle access	5(b)	Drawings 23 to 25 depicting the layouts of 'Arterial' and 'Secondary Arterial' roads indicate that bicycles are to share the travel lanes with vehicles. However the arrangement does not comply with the RMS standards as identified in the NSW Bicycle Guidelines. To allow sharing the travel lanes would have to be 3.7 to 4.2m wide.	In all instances, the 'Arterial' and 'Secondary Arterial' roads are serviced by adjacent, off-street dedicated cycle ways/ pedestrian paths, as identified on drawing RC04. The detailed layouts shown on Drawings 23 – 25 mistakenly referred to cycle ways combined with the travelling lanes within the tables – these tables have been amended and the drawings re-issued (however, these detail drawings no longer constitute part of the Concept Plan Application). Additionally, the design of the "Connector" road has been amended to accord with the requirements for on-road cycle ways.
	Road and Cycle access	5(c)	TfNSW questions the rationale for mixing bicycles with traffic on the 'arterial' and 'secondary arterial' roads whilst the 'link' road (drawing 27), which would presumably carry less traffic than the 'arterials', clearly designated cycle lanes are indicated. Compliance with the guidelines should be sought by way of consent condition.	This has been addressed in 5(b) above. The 'link' road is currently designed to accord with on-road requirements.
	Road and Cycle access	5(d)	TfNSW also notes that the adopted principle of providing cycling routes on the perimeter of the site is inconsistent with the general network design principles of providing direct access to destinations.	As a popular tourist area and being a development which is surrounded by open space and conservation areas, the Concept Plan provides for a level of recreational appreciation of the site, in addition to the needs of the commuting cyclist. The proponent does not believe that any additional recreational cycling and walking amenity has been proposed at the expense of efficient bicycle access to key destinations in accordance with general network design principles.
	Myall Street crossings	5(e)	TfNSW supports the provision of traffic control signals in lieu of roundabouts at the Myall Quays Boulevard and second access connection to Myall Street as recommended by the Road and Maritime Services (RMS) in its letter of the 8 <sup>th</sup> March 2012 for the reasons of improved safety for all users.	This issue is addressed in 4(j) above, intersections are now proposed to be signalised.
DPI Catchments	Navigable inlet	6(a)	DPI Catchments and Lands refer to a noted 'Navigable Inlet'	Crighton Properties have discussed this issue with DPI, which was identified to be a misunderstanding in the documentation

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and Lands			and observe that no further detail is provided with regard to this inlet. It is concerned as to whether the inlet is actually proposed and whether, if proposed whether it would be subject to licensing requirements.	provided. This has been rectified in written correspondence to DPI that no 'navigable channel' is proposed in any way shape or form. It appears that a reference exists to the previously proposed marina within one of the accompanying supporting documents. This document "Riverside Design Report" prepared by Roberts Day shows the outcome of a Community Master planning process for the site which was undertaken several years ago. DPI has confirmed verbally, that they have no other objections to the proposal.
EPA	Environment Protection Licence	7(a)	EPA has provided written confirmation that "it appears that the proposal will not require an EPL under the POEO Act.	This requirement is noted, no further action required.
	Flooding	7(b)	<p>EPA says that the flood modelling for the site is inadequate and does not comply with the DGRs, specifically;</p> <ul style="list-style-type: none"> <li>The assessment should determine the flood hazard in the area and address the impact of flooding on the proposed development.</li> </ul>	<p>While complete hydraulic category mapping for the entire river system will be undertaken as part of the Lower Myall River and Myall Lakes Flood Study currently being prepared for Council, results of this work will not be available until mid-2013. As such, interim local hydraulic category mapping covering the development site has been prepared, and shows that the Riverside development site is not within the floodplain of a pre-climate change Myall River flood, and partially covered by floodwaters in a worst case 2100 SLR Myall River event. In the proximity of the Riverside site, the major factor in river flood levels is tidal influence/peak Port Stephens flood levels. The proposal requires both cut and fill within the floodway area - there will be approximately 100,000cu.m net fill in these areas. Being generally tide controlled rather than river flood conveyance, this storage volume lost on the development site is inconsequential compared to the volume of Port Stephens and the ocean beyond, and as such the entire area can be classified as Flood Fringe, and proposed filling will have minimal impact on flood levels on adjoining land.</p> <p>Critical flood hazard mapping has been prepared and illustrates there is no high flood hazard within the development in any minor (5yr) event, or major (100yr) event. Potentially hazardous flows are present within external areas where egress would not be required during a flood event (external floodways/wildlife corridor).</p> <p>Extreme event hazard - In discussions with Council it was determined that the two relevant extreme storm combined probability combinations were a PMF catchment storm with 2100 100yr tailwater level, and a 100yr catchment storm with 2100 extreme tailwater level. Flood Depth and Hazard mapping is provided for the full range of storm durations. Detailed analysis of critical locations within the development is also provided. The vast majority of the development footprint will remain hazard free in all storm events. Some roads will be cut by hazardous flows in the worst case extreme events, but there are substantial areas of high-ground for refuge, and always alternate safe evacuation routes available.</p> <p>It is also noted that large areas of the existing township of Tea Gardens (outside and downstream of the Riverside site) will be heavily affected by flooding in these extreme events.</p> <p>Given that the EA demonstrates compliance with Development Assessment requirements for flood free development and access, the proponent has added a Commitment in the SOC to provide additional Hazard and Hydraulic Mapping utilizing model outputs from the Catchment Model which is currently being prepared for the Council, prior to the issue of the first Development Consent. This will not result in any increased risk or injury, as the modelling will primarily consider maximum probable events in 100 years time - and is only required to help inform Emergency Servicing response, not in regard to development assessment.</p>
			<ul style="list-style-type: none"> <li>There has been no assessment of the hazards for floods greater than the 1 in 100 year flood event. Hazard and hydraulic category mapping should be provided for a range of flood events including the 1 in 100 year flood and larger flood events up to and including the PMF in accordance with the Manual. The mapping should be</li> </ul>	<p>An assessment of local flooding has now been undertaken utilising modern 2D flood modelling software, and includes a full range of storms &amp; tailwater combined probability scenarios, and a full range of storm durations, including [0.25yr, 1yr, 5yr, 20, 100yr, 100yr + 30% &amp; PMF] storm intensities, [existing MHW, 2100 MHW, 2100 5yr, 2100 100yr &amp; 2100 'extreme'] tailwater levels and [1hr, 2hr, 3hr, 6hr, 9hr, 12hr &amp; 18hr] durations.</p> <p>It is clear that current flood modelling for the Myall River requires updating to consider climate change impacts for future</p>

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			<p>prepared under existing conditions and with sea level rise (SLR) and climate change and used to assess the flood risk for the 1 in 100 year flood and for contingency planning for floods larger than the 1 in 100 yr flood event.</p> <ul style="list-style-type: none"> <li>Further flood modelling should be provided for events greater than 1:100 yr up to and including the PMF both with and without Sea Level rise.</li> </ul>	<p>Strategic Planning. It is also clear that given the size and catchment of the Myall River and its head waters, this is a considerable exercise in itself (one which the Council estimates will take a period of 44 weeks). What is also clear, is that the modelling is likely to show the need for significant mitigation works to be undertaken in order to protect the existing township from even 1% events (post climate change), impacts which the Riverside proposal is not subject to.</p> <p>It is likely that such mitigation works will have a significant impact upon flood behaviour and hazard categorisation. It is entirely inappropriate to address the impacts for these maximum possible events in 100 years time – until such time as this detailed modelling exercise has been completed by Council for the Myall River Catchment (currently underway, expected to be completed mid-2013). The results of which will then be useful for planning future mitigation works and safe access and egress for emergency personnel.</p> <p>It is noted that in the Lower Myall River and Myall Lakes Flood Study commissioned by Great Lakes Council in 2012 identified the need to map the hydraulic categories (flood fringe, flood storage, floodways) for 2 design flood events and the provisional hazard categories (low, high) for four (4) design flood events – in accordance with the requirements suggested by OEHL / EPA. This flood study is scoped to consider the entire Myall River and upper headwaters over a catchment area of in excess of 780 sq Klm.</p>
			<ul style="list-style-type: none"> <li>Hydraulic profiles for each flood event should be provided and include both existing and proposed ground levels.</li> </ul>	<p>One of the benefits of the 2D modelling techniques utilised in the current flood analysis is that flood levels can be presented spatially. This allows a more accurate representation of flood flows in complex non-uniform flow arrangements such as the variable width floodways, detention areas and level spreader spillway discharge arrangements modelled in the Riverside proposal. The generation of ‘hydraulic profiles’ is a reference back to more antiquated, simplistic 1D flood analysis techniques, previously advised as being unacceptable for the analysis of this project. It is possible, however, to simplify the 2D model results back onto a 1D profile, if it is still deemed necessary.</p> <p>Given the number of storm recurrence interval/tailwater/duration combinations requested (a raft of over 50 separate flood simulations was required to meet requirements for this assessment), it is entirely impractical to plot results ‘for each storm event’ as requested. Spatial plots of critical storm events are shown within the report, with comprehensive tabulated results used to detail the remainder of the modelled storm events.</p> <p>Long sections showing both existing and proposed levels are included on page 17 of the 18-page plan Concept Plan Application plan set by Tattersall Lander that accompanies this application. This includes the South Branch, West Branch and Monkey Jacket Branch floodways. The East-West Branch (in the wildlife corridor) is not shown, but is formed by the construction of the perimeter ring road and adjacent mound, not via invert excavation, so existing levels will be maintained post development.</p>
			<ul style="list-style-type: none"> <li>Egress and Safety in flood events (particularly the rarer events) should be addressed in more detail</li> </ul>	<p>Further detailed analysis of worst case PMF flooding has been provided. The vast majority of the development footprint will remain hazard free in all storm events, including ALL private property. Some roads will be cut by hazardous flows in the worst case extreme events, but there are substantial areas of high-ground for refuge, and always alternate safe evacuation routes available. The proposed road network would provide safe egress via a number of alternative road options for residents should they require evacuation to higher ground on the northern and north western boundaries of the development.</p>
			<ul style="list-style-type: none"> <li>Further information should be provided which addresses the impact of the development (including filling) on the flood behaviour of the site and adjacent lands.</li> </ul>	<p>Further analysis of the impact on surrounding lands has been provided in light of the current modelling work.</p> <p>Land to the North is upstream to the development site and this entire northern catchment has been included as part of the 2D flood modelling. This land is significantly elevated, and the existing Toonang Drive Culverts have been modelled and remain free draining and unaffected by the proposed development.</p> <p>Land to the West is a separate catchment, divided by the watershed generally formed by Myall Street in the proximity of the Riverside development, and existing drainage and landform further to the South. With no water from the Riverside development flowing west, and no lands to the west of Myall Street draining east, there will be no impacts on any lands to the</p>

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				<p>west as a result of the development.</p> <p>Land to the South drains generally to the existing saline lake before discharging into the Myall River. This entire southern catchment has also been included in the 2D flood model analysis. While there will be some increase in peak flood flows into the lake under the proposed development, critical flood levels are most significantly impacted by peak river levels, not peak catchment flows. Under peak 2100 river levels the lake and river become a continuous water body, and additional flows generated by the development are quickly translated to the river floodplain with negligible impact on existing development lands.</p>
			<ul style="list-style-type: none"> <li>Further consideration of the applicable Flood Planning level (FPL) is to be presented – the adopted FPL would not appear to comply with current requirements.</li> </ul>	<p>Flood Planning Levels have been revised across the site with respect to the current modelling results. These now account for the worst case combined probability catchment storm/tail water combinations, including worst case 2100 SLR predictions. Landform levels have been determined with respect to these levels, and no further additional filling should be required on any lots above what has been proposed/modelled to meet recommended FPL's.</p> <p>While application of any climate change induced rainfall intensity increase is not supported at this time, additional analysis of the worst case (+30%) increase has been included to advise governing bodies should policies change in the future.</p> <p>A set minimum level has not been applied, rather the site broken up into different regions to reflect the flood gradient present as flood waters pass through the site.</p> <p>Whilst it is unlikely that the development level proposed for the site will be adjusted over time (due to design falls, pipe coverage etc) it is possible that the recommended floor levels for houses on the site may change over time (particularly following the completion of the current Myall River Catchment modelling exercise). The proponent notes that Council currently adopt a minimum floor level of RL 3.3m for new development areas. A commitment has been added within the SOC stating that all proposed house floor levels must accord with the current Council policy for minimum floor levels.</p>
			<ul style="list-style-type: none"> <li>Estimate of PMF inclusive of SLR is to be provided (along with any reporting on safety and evacuation issues).</li> </ul>	<p>This issue has been discussed above and a commitment made within the SOC with regard to Emergency Services Planning. It is noted that the study Brief for the Lower Myall River and Myall Lakes Flood Study commissioned by Great Lakes Council in 2012 identified the need to undertake this work for Classification of Communities.</p>
			<ul style="list-style-type: none"> <li>Proper freeboard allowances are to be incorporated into all flood modelling.</li> </ul>	<p>It should be noted that Flood Planning Level is a minimum of a further 0.5 m above the determined worst case 100yr flood level, providing the required freeboard (the previous IWM incorrectly identified a freeboard of 0.3 m). The proposed freeboard is compliant. A commitment has been added within the SOC stating that all proposed house floor levels must accord with the current Council policy for minimum floor levels.</p>
			<ul style="list-style-type: none"> <li>Modelling for events beyond 2100 is to be considered so that the approval authority can give consideration to setting triggers for lapsing of consent.</li> </ul>	<p>Additional modelling of events peak events up to 2100 time frame has been included in the SOC as referred to above to assist with emergency access planning – following completion by Council of its current flood study.</p> <p>The proposed development has already been demonstrated to be compliant and flood free up to a minimum standard of 1% flood event in 100 years time. Furthermore, a commitment has been added within the SOC stating that all proposed house floor levels must accord with the current Council policy for minimum floor levels, allowing Council to control continued updating of Flood Planning Level restrictions indefinitely into the future.</p> <p>The potential introduced by DoP for 'time limited consents' within the guideline "Adapting to Sea level Rise", were highlighted where no other mitigating options exist to protect a development within the current 100 year planning horizon. We firmly believe it was not the intention of DoP to consider such consent limiting on projects such as Riverside where full compliance with flood protection requirements is demonstrated during that same planning horizon.</p> <p>It is ludicrous to suggest that the existing Township of Tea Gardens which is at far greater risk of flood inundation will not have</p>

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				mitigation measures put in place by this time – the alternative being that the entire township would cease to exist, the only refuge being the Riverside site, and lands to the North.  It is likely that the flood study underway by Council will address this issue.
			<ul style="list-style-type: none"> <li>Current modelling does not consider the Monkey Jacket precinct in the North of the site.</li> </ul>	Revised modelling now covers the entire site in equal detail, including the Monkey Jacket Precinct.
			<ul style="list-style-type: none"> <li>The assessment should include the impact of more frequent flooding, the performance of the drainage system and the extent of tidal inundation. It is expected that such an assessment would assist the consent authority in setting triggers for lapsing of consent</li> </ul>	<p>The trunk drainage system performance has been assessed for the 0.25yr ARI, 1yr ARI, 5 yr ARI, 20 yr ARI, 100 yr ARI and PMF.</p> <p>Checks have been made to show that existing flows into the wetland buffer area are maintained post-development for regular rainfall events.</p> <p>Minimum discharge levels at the downstream discharge points from the site are set at 1.4m AHD, equal to the worst case predicted 2100 SLR MHW level. This is an extension of the current drainage approach at Tea Gardens setting inverts are MHW level, an approach supported by Council.</p> <p>It is unclear if the request is to assess the extent of tidal inundation under existing conditions or under 2100 conditions. It is noted that under existing conditions MHW is at 0.5m AHD. With the outlets to the Riverside site at 1.4m AHD, there will be no tidal inundation under current conditions. Under the current worst case sea level rise predictions, 2100 Mean High Water will rise to 1.4m AHD, the designated control level at the downstream low-flow outlets from the development site.</p>
	Biodiversity Mapping	7(c)	<p>EPA says that biodiversity mapping and the responses within the proposed development are inadequate, specifically;</p> <ul style="list-style-type: none"> <li>Biodiversity Mapping is inadequate <ul style="list-style-type: none"> <li>EPA does not support the assessment of the extent of EEC on site..</li> </ul> </li> </ul>	This issue is no longer relevant. GHD completed detailed vegetation mapping as part of the BioBanking Assessment and this mapping has been endorsed by OEH as outlined in their agency response in March 2012
			<ul style="list-style-type: none"> <li>Further clarification of survey data relied on for flora and fauna mapping is requested including; <ul style="list-style-type: none"> <li>Stratification units</li> <li>Survey design</li> <li>Sampling methods</li> <li>Survey effort</li> </ul> </li> </ul>	<p>Cumberland Ecology has provided additional information regarding flora surveys as requested by OEH. Conacher Environmental has provided additional information with regard to Flora and Fauna surveys.</p> <p>In addition, GHD has also completed detailed plot surveys in accordance with the BioBanking Methodology and his survey effort is described in the Biobanking Assessment..</p>
			<ul style="list-style-type: none"> <li>EPA requires further detail on targeted surveys before an opinion can be reached on the adequacy of survey effort.</li> </ul>	Conacher Environmental has provided additional information to the EPA with regard to Flora and Fauna surveys. This information is attached to the PPR
	Threatened Species and Biodiversity impacts	7(d)	<p>EPA says that biodiversity mapping and the responses within the proposed development are inadequate, specifically;</p> <ul style="list-style-type: none"> <li>Biodiversity Mapping is inadequate <ul style="list-style-type: none"> <li>Additional threatened species which have potential habitat on site have not been considered in the EA</li> </ul> </li> </ul>	<p>The threatened species mentioned by OEH have been considered within the Biodiversity Mapping Report (see Table 3.5). The locations of the records closest to the subject land have been noted within the report. The Biodiversity Mapping Report notes a 'possible' occurrence of each of the species mentioned by OEH as requiring consideration.</p> <p>The BioBanking Assessment includes additional consideration of threatened species which are known or likely to occur on site using the BioBanking assessment methodology. Impacts on the majority of threatened species and their habitats potentially affected by the project have been addressed through the calculation of ecosystem credits. Additional species credits have been calculated for those threatened species known to have specific habitat resources in the study area. The approach to the</p>

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				BioBanking assessment was developed in direct consultation with OEH and has received in principal support from OEH, DPI, Council and DSEWPC.
			<ul style="list-style-type: none"> <li>• The proposed development footprint is still inconsistent with the PAC recommendations <ul style="list-style-type: none"> <li>○ That the new base line mapping does not support the current deviation from the PAC suggested footprint</li> <li>○ OEH does not support a number of areas outside the PAC boundary and believes some of these to be EEC or threatened species habitat.</li> </ul> </li> </ul>	<p>The PAC developed their footprint based on the information provided within the previous Concept Plan. As noted by the PAC, the information they relied upon during their assessment of the proposal was insufficient and as such, the PAC made recommendations for further survey.</p> <p>In developing the revised Concept Plan, both Cumberland Ecology and GHD have undertaken additional surveys within the site. Due consideration was given to the additional information collected during these additional surveys in the revision of the development footprint.</p> <p>Given that the PAC footprint was developed using information that they acknowledged was insufficient, future assessment of the boundary should take into consideration the new information.</p> <p>The BioBanking assessment has been able to demonstrate that economies in the number of biodiversity credits required can be obtained by concentrating development in areas supporting vegetation of poorer condition. The BioBanking assessment has shown that the final development site layout is the most appropriate balance between development and conservation outcomes for the study area. The PAC footprint does not necessarily conserve the highest conservation values on site and would also require significant biodiversity offsets. The final development footprint has been designed using detailed site assessment and data collected in accordance with the BioBanking methodology whereas the suggested PAC boundary was determined without the benefit of such information.</p> <p>Whilst the need for offsite offsets is higher than the PAC footprint, it is substantially less than the original development footprint. Additionally, the proposed footprint has an increased development yield when compared to the PAC but the required offsite offsets are not proportional to the increase in yield, due to development being focused in areas of lower biodiversity values. This may be viewed as a more efficient use of the site given suitable offsets are available.</p>
			<ul style="list-style-type: none"> <li>• The width of the wildlife corridor in the North of the site is not supported given that the site is part of a key Regional Corridor.</li> <li>•</li> </ul>	The final development layout has increased the width of this corridor considerably and would maintain the east-west vegetated corridor through the north of the study area with a minimum width of 200 m. The adjustments were made in consultation with relevant government agencies to respond/address issues previously raised regarding this corridor. OEH and DSEWPac have expressed support for these changes.
			<ul style="list-style-type: none"> <li>• The site earmarked as “future development site” is requested to be dealt with now and excluded from any further development. EPA suggests it should be regenerated to form a northern link.</li> </ul>	Following detailed discussions with Great Lakes Council, final uses for the previously referred to “future development site” are now proposed within the Preferred Project Report. These are explained in more detail on Drawing RC.09. The area is proposed to be utilised for a combination of recreational open space, tourist amenity (swimming pool etc.) and a waterside boardwalk, coffee shop and boat hire facility. The proposal enhances the open space and conservation network upon the site.
			<ul style="list-style-type: none"> <li>• Inadequate space has been allowed for wetlands to migrate as a result of se level rise</li> </ul>	In the current proposal the 7(b) buffer areas allow for wetland migration. Currently wetland is generally contained within the 7(a) areas. Further areas of 2(f) zoned land, particularly in the south of the site, are proposed to be set aside for conservation, thus providing a full length wetland migration area of between 250 – 500m in width for the length of the wetland. The final development layout would maintain a continuous, minimum 410 m wide corridor along the Myall River in the east of the study area encompassing the existing wetlands and providing for migration of wetlands with potential sea level rises. The increase in the width of this corridor was a direct response to consultation with relevant government agencies and included their input. OEH and DSEWPac have expressed support for these changes.
	Offset Package	7(e)	<ul style="list-style-type: none"> <li>• EPA support the process of use of the Bio Banking Assessment Methodology</li> <li>• EPA does not support the output from the current BBAM process as it believes the development footprint (and therefore proposed offsets) is not consistent with the PAC developable boundary. The EPA recommends the BBAM is rerun following agreement of a development footprint.</li> </ul>	The final development site layout has been determined in consultation with OEH and DSEWPac and is an effective compromise between the previous two layout options (original and PAC boundary). The final layout allows for both ecological conservation and a reasonable development outcome from the site. As such, GHD has completed BioBanking calculations on the final development footprint to allow a clear comparison with previous development options and the PAC. The BioBanking assessment has been able to increase the development lot yield while achieving economies in the number of biodiversity credits required by concentrating development in poorer condition vegetation; the preferred final development footprint is 33% larger than the PAC development footprint but would result in a 22% increase in the number of ecosystem credits required (GHD, 2012).



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			<ul style="list-style-type: none"> <li>EPA states that it has not therefore looked at the GHD Assessment in any detail.</li> </ul>	It is expected the GHD final BioBanking Report would now be thoroughly reviewed by OEH/DSEWPaC and DoPI.
			<ul style="list-style-type: none"> <li>EPA is concerned about the appropriateness of Community Title in the implementation of offsets mechanisms.</li> </ul>	The Proponent has provided additional advice to the OEH/EPA with regard to this issue – including high-lighting a number of ways in which the Community Association can enter into legal agreements with the OEH/EPA. It is understood from recent correspondence with the EPA that appropriate options exist for further exploration within the final offset package. Further discussions with the OEH have resulted in the proponent nominating a BioBanking Agreement as the preferred mechanism for securing the offset. Issues associated with ownership of the on-site biobank (such as Community Association) would be discussed with OEH during preparation of the Offsets Package.
			<ul style="list-style-type: none"> <li>EPA indicates its preference for the delivery of Species Credits in respect of Koalas be sourced from within the local area in order to benefit the local Koala population</li> </ul>	Species credits calculated in the BioBanking assessment are for the ‘Hawks Nest and Tea Gardens endangered Koala population’ not for the Koala in general which would require ecosystem credits only. Species credits for the endangered population must, by definition, be sourced from the local area. The majority of the Koala endangered population species credits would be sourced from the on-site biobank with the remainder sourced from a local biobank. Preliminary investigations have identified a number of suitable off-site biobanks in the local area that would also yield appropriate species credits to address the shortfall from the on-site biobank and these have been discussed with OEH, DSEWPaC and GLC. Each of these organisations have indicated support for this approach with GLC assisting in the identification of a suitable local biobank site.
	Ground Water	7(f)	<ul style="list-style-type: none"> <li>EPA states that insufficient information is provided with respect to the impacts of Ground Water Drawdown and potential impacts to ground water dependant ecosystems (GDEs).</li> <li>EPA does not agree that ground water drawdown will be offset by sea level rise.</li> <li>Further details on Groundwater impacts and effects on GDE’s is requested.</li> <li>EPA is concerned as to the potential for increased freshwater discharges to Coastal Salt marsh.</li> </ul>	<p>Adequate information has been provided in order for a Concept Plan to be assessed and approved. This includes:</p> <ul style="list-style-type: none"> <li>Establishment and monitoring of 19 groundwater piezometers</li> <li>Continuous groundwater level measurement at 8 piezometers.</li> <li>Collection of groundwater quality samples and continuous groundwater and lake electrical conductivity measurement.</li> <li>Monitoring water levels in the site’s artificial lake and relating these to groundwater levels.</li> </ul> <p>A revised Water Management Strategy has been undertaken which covers areas of stormwater and groundwater management. The purpose of the report is to provide recommendations for an amended water strategy onsite. The key system design principles for the amended groundwater management are based on: preserving water quality, flow patterns, groundwater levels, and the SEPP14 wetland water balance. The removal of the previously proposed freshwater window lakes has been undertaken to achieve such principles, with the creation of roadside linear bioretention systems and dedicated recharge beds.</p> <p>MODFLOW modelling based on the amended design and the results from MUSIC modelling of the site has been undertaken.</p>
	Inconsistent reporting	7(g)	<ul style="list-style-type: none"> <li>EPA states that inconsistencies and typographical errors occur within the reports including; <ul style="list-style-type: none"> <li>Differences between Cumberland and GHD vegetation mapping.</li> <li>Bio banking Agreement Vs community Title Management.</li> <li>Study and Concept Plan area boundaries.</li> </ul> </li> </ul>	These would appear to be minor issues with regard to formatting, EPA has not provided any additional information at this stage as to where the inconsistencies lie, the proponent believes the PPR is consistent.
	Waste Water Management	7(h)	<ul style="list-style-type: none"> <li>EPA is concerned that the commitment to third pipe reticulation has not been made clear in the EA or Statement of Commitments.</li> </ul>	A commitment to third pipe reticulation has been added to the SOC.
	Water Management	7(i)	<ul style="list-style-type: none"> <li>The EPA says that it understands there are discrepancies in the water modelling data used in the assessment (it offers no further justification for its assertion).</li> </ul>	<p>No discrepancies have been pointed to for consideration.</p> <p>A revised Water Management Strategy has been undertaken which covers areas of stormwater and groundwater management. MUSIC and MODFLOW modelling based on the amended design would be used.</p>
	Aboriginal Cultural Heritage	7(j)	<ul style="list-style-type: none"> <li>EPA request the proponent to complete site records for a Potential Archaeological Deposit (PAD) identified within the EA.</li> <li>EPA provide additional commentary regarding its</li> </ul>	<p>Site records have been completed for the PAD site and forwarded to the OEH.</p> <p>Additional commentary with regard to further requirements at the Development Application Stage are noted – these will be addressed at the time of lodgement of development applications over the site.</p>

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			<p>requirements for preparation of an Aboriginal Cultural heritage Management Plan (ACHMP)</p> <ul style="list-style-type: none"> <li>EPA provides additional commentary regarding its requirements for Development within the vicinity of the PAD site.</li> <li>EPA advise that its legislative requirements with regard to Aboriginal Cultural Heritage have recently changed and the proponent should be aware.</li> </ul>	
NSW Office of Water (DPI)	TBA	8(a)	<ul style="list-style-type: none"> <li>The Office of Water is of the opinion that the EA does not adequately address the key issues incorporated into the DGRs. If the applicant had adopted the requirements as encapsulated by the DGRs it is highly probable that the Office of Water would be in a position to provide endorsement of the Concept Plan proposal. The Office of Water is unable to provide Recommended Conditions of Approval until the proposal better reflects the requirements of the Director Generals requirements for the project.</li> </ul>	The Revised Water Management Strategy complies with the DGR's for surface and groundwater management.
		8(b)	<ul style="list-style-type: none"> <li>There exists, conflicts within the documentation as to whether the existing saline lake is proposed to be extended in the west or not.</li> <li>The NoW is concerned that the DGRs require that the lake not be extended. The NoW does not support any extension of the existing saline lake.</li> </ul>	It should be noted that the existing saline lake is not to be extended under the Concept Plan Proposal. There was an erroneous reference to the extension of the lake on one of the drawings along the western side of the existing lake area.
		8(c)	<ul style="list-style-type: none"> <li>Water quality modelling is provided for the 'preliminary scheme' but no data for the final scheme is provided for comparison to data provided in Table D11.</li> </ul>	A new water management strategy has now been prepared, this comment is no longer valid.
		8(d)	<ul style="list-style-type: none"> <li>NoW is concerned that existing structures have been built in the area to the north of shoreline drive where other structures are proposed within the concept plan - these structures may not be properly approved and may inhibit the provision of a 'land bridge' referred to in the concept plan documents.</li> </ul>	Information has been provided to NSW Department of Planning in regard to this issue including copies of all consents pertaining to development in this area. The proponent understands that this issue has now been addressed to the satisfaction of the NSW Department of Planning and Infrastructure.
		8(e)	<ul style="list-style-type: none"> <li>NoW does not support the use of window lakes. It says that this is contrary to previous advice, and the DGRs. Now says that the lakes will act as a sink for nutrients and may degrade the quality of water within the aquifer. The lakes may impact upon the beneficial use of the aquifer.</li> </ul>	<p>A revised Water Management Strategy has been undertaken which covers areas of stormwater and groundwater management. The purpose of the report is to provide recommendations for an amended water strategy onsite.</p> <p>Previously proposed freshwater window lakes have been removed to achieve the principles of best practise; rehabilitation; SEPP 14 wetland protection; preserving the hydrologic regime; and the protection of the existing saltwater lake, groundwater and river receiving waters.</p> <p>The key system design principles for the amended groundwater management are based on: preserving water quality, flow patterns, groundwater levels, and the water balance. The inclusion of roadside linear bioretention systems achieves these design</p>

Authority	Issue Raised	Reference	Submission	Reply
				principles.
		8(f)	<ul style="list-style-type: none"> <li>NoW does not believe that the window lakes will act as recharge lakes. Instead they are more likely to remove water from the water table. They will reduce the volume of water stored within the aquifer and permanently reduce the storage capacity – making less water available for potential future uses.</li> </ul>	A revised Water Management Strategy has been undertaken which covers areas of stormwater and groundwater management. The amended document recommends the removal of the previously proposed freshwater window lakes, with the introduction of roadside bioretention swales.
		8(g)	<ul style="list-style-type: none"> <li>NoW believes that the reduction in the water table may impact upon GDE including the SEPP 14 wetland.</li> </ul>	<p>A revised Water Management Strategy has been undertaken which covers areas of stormwater and groundwater management. One of the key system design principles for the amended stormwater management system is the protection of the SEPP 14 wetland.</p> <p>Modelling demonstrates that there is no impact on the GDE including the SEPP 14. Additionally, as part of the response to issues, a greater setback is now proposed from development to the SEPP 14 wetlands due to an increase in area left for conservation in this area.</p>
		8(h)	<ul style="list-style-type: none"> <li>Now does not support the findings of the groundwater model. It is concerned that the model; <ul style="list-style-type: none"> <li>Is only a steady state model (based on limited sampling) rather than a dynamic model</li> <li>Underestimates the effect of the averaging of drawdown over time (it believes this average drawdown will then be compounded by natural fluctuations rather than offset by them)</li> </ul> </li> </ul>	<p>The steady state model provides an appropriate level of detail for the EA supporting a concept Part 3A proposal application. A time dependant model would not add significantly to the model outcomes. We note that a ‘wet rainfall’ year assessment has now been included in the revised water management scheme.</p> <p>The proponent stands by the modelling undertaken to date and makes the point that the use of a steady state model provides a degree of conservative assessment.</p>
		8(i)	<ul style="list-style-type: none"> <li>NoW suggests that modelled groundwater flow may actually reverse during dry periods due to variability of the groundwater level resulting in saline water or high nutrient levels being introduced into the water table.</li> </ul>	The exclusion of window lakes results in the groundwater system remaining relatively unchanged.
		8(j)	<ul style="list-style-type: none"> <li>No assessment of GDE areas has been undertaken to determine if previous development has already placed the GDEs in the area under stress, or of the cumulative impact of groundwater levels of past and proposed developments.</li> </ul>	The impact of previous development on GDE’s is irrelevant as the EA considers the current site condition as the performance benchmark.
		8(k)	<ul style="list-style-type: none"> <li>While modelled drawdown at the edge of the SEPP 14 Wetland is small, the lack of wide climatic range modelling and understanding of cumulative impacts may understate the likely impact. Climate change cannot be used to justify “unacceptable activities”.</li> </ul>	The SEPP 14 wetland is located adjacent to ocean water levels. Groundwater gradients in this location are not very sensitive to any possible draw-down effects several hundred meters away. The exclusion of window lakes from the proposal means there is very little opportunity for any drawdown.
		8(l)	<ul style="list-style-type: none"> <li>Now is concerned that the proposal introduces additional suspended sediments and nutrients into the lakes which could lead to eutrophication of the lakes over time and impacts on groundwater quality.</li> </ul>	<p>A revised Water Management Strategy has been undertaken which covers areas of stormwater and groundwater management. The removal of the previously proposed freshwater window lakes has been undertaken, as well as changes to the urban drainage system, flow paths and outlet levels. Lakes have been replaced with a system of bioretention swales.</p> <p>There is no reliance on the existing J Lake for any water quality treatment. Instead at source treatment has been provided to ensure sufficient treatment prior to discharge into the Lake.</p>

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				<p>One of the water quality objectives for groundwater is to have a neutral or beneficial effect on groundwater.</p>
		8(m)	<ul style="list-style-type: none"> <li>NoW argue that the window lakes are the receiving water – not the Myall River. Water quality targets should be met at this point of contact.</li> </ul>	<p>Window lakes are no longer part of the proposed treatment train. All water quality treatment occurs upstream of receiving environments.</p> <p>Primary water quality treatment measures (not in contact with the water table) are proposed to ensure water quality is maintained at the point of contact with Ground Water..</p>
		8(n)	<ul style="list-style-type: none"> <li>At source treatment using WSUD has not been properly considered within the EA.</li> </ul>	<p>Water Quality management upon the site has always been the responsibility of the Community Association. In fact this is one of the key drivers for establishment of a Community Scheme upon the site in the first instance. Funding is collected by the Community Association on a quarterly basis and now, more than 10 years of history of management, monitoring and reporting exists, undertaken by the Community Association.</p> <p>Master Planning for the site has always foreshadowed Community ownership of the water management assets upon the site and purchasers within the estate have bought on this understanding. The Community Association is a legal entity which will be bound to continue its current exemplary record of management implementation and sourcing of funding. In addition, each lot owner within the estate has a vested interest in the upkeep and well being of the various estate assets – this has been demonstrated over time. Water Quality management upon the site has always been the responsibility of the Community Association. In fact this is one of the key drivers for establishment of a Community Scheme upon the site in the first instance. Funding is collected by the Community Association on a quarterly basis and now, more than 10 years of history of management, monitoring and reporting exists, undertaken by the Community Association.</p> <p>Master Planning for the site has always foreshadowed Community ownership of the water management assets upon the site and purchasers within the estate have bought on this understanding. The Community Association is a legal entity which will be bound to continue its current exemplary record of management implementation and sourcing of funding. In addition, each lot owner within the estate has a vested interest in the upkeep and well being of the various estate assets – this has been demonstrated over time.</p>
		8(o)	<ul style="list-style-type: none"> <li>NoW is concerned with the financial burden of water quality management and licencing being placed upon the Community Association.</li> </ul>	<p>Water Quality management upon the site has always been the responsibility of the Community Association. In fact this is one of the key drivers for establishment of a Community Scheme upon the site in the first instance. Funding is collected by the Community Association on a quarterly basis and now, more than 10 years of history of management, monitoring and reporting exists, undertaken by the Community Association.</p> <p>Master Planning for the site has always foreshadowed Community ownership of the water management assets upon the site and purchasers within the estate have bought on this understanding. The Community Association is a legal entity which will be bound to continue its current exemplary record of management implementation and sourcing of funding. In addition, each lot owner within the estate has a vested interest in the upkeep and well being of the various estate assets – this has been demonstrated over time.</p>
		8(p)	<ul style="list-style-type: none"> <li>Now is concerned that the existing connection with the Myall River may be subject to erosion and instability due to increased volumes of flow – the EA should include a Monitoring Plan and a Remediation Management Plan in the event of channel erosion occurring. NoW does not support any increase in the size of the channel connection to the existing lake system.</li> </ul>	<p>It is not proposed to increase the size of the of the channel connection.</p> <p>It is also noted that the proposed scheme incorporates a number of recharge swales throughout the proposed swale network. Flows would not be limited to the existing connection to the saline creek. Overland flow would occur in an easterly direction to the vegetated area to the east of the site via a level spreader to provide an even dispersal of flows.</p> <p>The request that a Monitoring Plan and a Remediation Management Plan be prepared is noted. Any such plan should</p>

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				<p>also aim to monitor vegetation growth within the channel connection and identify methods for removing vegetation that reduces the current capacity of the channel connection.</p> <p>Additional Commitments are proposed within the SOC to address this issue.</p>
		8(q)	<ul style="list-style-type: none"> <li>NoW is concerned as to the likelihood of Acid Sulfate activation as a result of drawdown of the water table on site – this stems partly from its lack of confidence in the degree of drawdown and the findings of the PASS assessment with regard to the existence of PASS.</li> </ul>	No significant drawdown will occur at the site. Acid sulfate soil activation therefore is not an issue.
Great Lakes Council	Support	9(a)	<ul style="list-style-type: none"> <li>Council Supports the Riverside Concept Plan</li> </ul>	Councils support for the development is noted and welcomed, particularly given the time and effort spent in discussions with Council in preparing the application
	Future Development site	9(b)	<ul style="list-style-type: none"> <li>Councils has a number of outstanding issues however, which it believes requires further consideration. These include;</li> <li>The use of the Future development site should be resolved with the current application. No reference is contained within the future development site for any buffer to the Myall River. Council considers a 40m buffer to be appropriate.</li> </ul>	<p>Following detailed discussions with Great Lakes Council, final uses for the previously referred to “future development site” are now proposed within the Preferred Project Report. These are explained in more detail on Drawing RC.09. The area is proposed to be utilised for a combination of recreational open space, tourist amenity (swimming pool etc.) and a waterside boardwalk, coffee shop and boat hire facility.</p> <p>The proposal enhances the open space and conservation network upon the site.</p>
	Planning Agreement	9(c)	<ul style="list-style-type: none"> <li>Proposed Planning Agreement has not been considered in detail, it will be reviewed by Council closer to the date of entering into any agreement with the Proponent.</li> </ul>	<p>Council’s comments are noted. A draft Planning Agreement (PA) has been prepared in respect of the entire development of the Riverside side – this PA has been endorsed by Council in draft form. It is understood that the PA cannot be adopted and come into effect until a Development Consent is issued.</p> <p>It is the intention that this draft PA will form the basis of future PAs to be implemented on a stage by stage basis.</p>
	Water Management	9(d)	<ul style="list-style-type: none"> <li>Council is unable to comment in qualified detail with respect to Music Modelling, as it normally relies upon the assistance of experts in that field for advice (normally BMT WBM) Council recommends the MUSIC modelling for Riverside is peer reviewed.</li> </ul>	Council’s suggestion of a peer review is noted. The NSW DoPI has engaged BMT WBM to undertake this review. The outcomes of the review have been incorporated into a revised Water Management Strategy. The Revised Water Management Strategy forms part of the Preferred Project Report.
			<ul style="list-style-type: none"> <li>Council is concerned as to whether the current ‘MUSIC model (which utilises an older software version), along with model assumptions which may not be consistent with current modelling guidelines, may be yielding an inaccurate assessment of the scheme performance - in particular overstating pre-development nutrient exports and understating post development nutrient exports – which, combined could understate the need for water quality performance</li> </ul>	Revised water quality modelling has been undertaken using the latest version of MUSIC (version 5.1) and in strict accordance with the Sydney Metro CMA ‘NSW MUSIC Modelling Guidelines (2010) in consultation with WBM BMT. This has resulted in an accurate representation of pre development conditions and therefore the water quality target performances required.
			<ul style="list-style-type: none"> <li>Council believes there is an over reliance on increased tertiary treatment proposed by the existing brackish lake system in order to achieve water quality outcomes on site – and the potential for impact upon the (currently) efficient operation of the existing system, which could have impacts upon the recreational, health amenity values of this waterway.</li> </ul>	The revised treatment train adopts the principles of WSUD by providing primarily at source treatment to achieve water quality objectives. The brackish lake system has not been included as part of the treatment train and no impacts on its operation is envisaged.

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			It was suggested that this reliance would be better placed upon primary treatment measures located closer to the source of pollutants	
	Road Design and Infrastructure	9(e)	Road designs depart from Councils standard road designs, the proponent will be required to liaise further with Council at the Project Plan stage.	<p>Council's comments are noted.</p> <p>Council has already provided written advice stating that it is happy (in principle) with the road designs proposed, despite the variations from its standards and is happy for the detail to be addressed at the DA stage.</p> <p>It should be noted that the design variations are primarily twofold;</p> <ol style="list-style-type: none"> <li>1. Road reserve widths - the verges within some road reserves have been specifically narrowed to allow greater ownership and maintenance by the Community Association.</li> <li>2. Water Sensitive Urban Design Principles - roads have been designed to adopt Water Sensitive Urban Design Initiatives, this departs from Council's usual road design standards.</li> </ol>
			Council requests that a traffic impact assessment be provided at each stage of the development taking into account the combined effect of all proposed development within the Concept Plan area.	<p>Noted.</p> <p>The proponent has added a commitment to the SOC to the effect that future development applications will contain this detail.</p>
	Flooding	9(f)	Council has recently adopted a 2100 flood level of RL 2.8 AHD	<p>Noted.</p> <p>The previous proposal had modelled a higher flood level (2.9m AHD). This new 2.8m AHD level was adopted by Council after completion of previous flood modelling and submission to DoP&amp; I. Modelling has been re-run to utilise this most current downstream flood study.</p> <p>It is noted that the Council is currently undertaking further modelling of the Lower Myall River Catchment - the 2.8m level may be further revised in time.</p> <p>The proponent has added a commitment to the SOC that the floor level of each house must comply with the current Council flood requirements in effect at that time.</p>
	Biodiversity	9(g)	The Council states that the plans exhibited "represent a positive and substantial improvement over those that have been previously exhibited" and goes on to note the substantial improvements.	Recognition of the many improvements is noted.
			<p>The Council has some remaining concerns with regard to</p> <ul style="list-style-type: none"> <li>• The Development foot print is beyond what was suggested by the PAC.</li> </ul>	This is discussed in more detail above with respect to OEH / EPA submission and in greater detail within the PPR. It is understood that the proposed development footprint combined with strategic oofsite offsets will result in a greater biodiversity outcome, than if the site were developed in accord with the PAC suggested footprint.
			<ul style="list-style-type: none"> <li>• That the future development site by set aside for conservation purposes</li> </ul>	This issue is discussed above at item 9(b). Proposed uses have been indicated for this area, following further discussions with Council. It is understood that Council is in support of the proposal.
			<ul style="list-style-type: none"> <li>• The potential for Bio Banking credits to be sourced from areas outside of the region.</li> </ul>	Noted. It is the proponent's preference to source credits locally, however it is noted that broader options are available within the current legislation where local credits cannot be sourced.
			<ul style="list-style-type: none"> <li>• There should be consideration of dedication of conservation lands as part of the offset strategy</li> </ul>	The proposed on-site conservation lands will be gazetted as a biobank site. Issues such as long term ownership and management responsibilities will be determined in consultation with relevant government agencies, including GLC, during preparation of the Offsets Package.
			<ul style="list-style-type: none"> <li>• There remains some limitations with respect to</li> </ul>	This is discussed in more detail above with respect to OEH / EPA submission.

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			information on threatened species and their habitats on site.	
			<ul style="list-style-type: none"> <li>If the intention is for Council to assume responsibility for management and maintenance of any of the conservation land, then arrangements should be made with Council as to how this will occur, including works and funding.</li> </ul>	<p>Noted.</p> <p>It is not the intention of the proponent that such responsibilities will rest with Council. Details of ownership and management of the Conservation lands will be finalised within the offsetting strategy.</p>
NSW Department of Planning	Future Development Site	10(a)	<p>Future Development site – the application provides no indication of future potential use of the ‘future development site’ in the NE corner of the site. It is considered unreasonable to identify this whole area as unspecified future development without having conceptual level detail of what is proposed. The department requests either further detail over the future intended use of this area (including proposed activity, construction impacts, impacts on the river bank, dredging etc.) for consideration in the PPR, or removal of its designation as ‘future development site’ from the concept plan.</p> <p>The department would prefer this area to be retained as both a visual buffer and conservation corridor in order to improve the northern connective fauna link and maximise its ecological and aesthetic value. This is supported and further justified by submissions from the Environmental Protection Authority (EPA), Marine parks Authority and Council.</p>	<p>Following detailed discussions with Great Lakes Council, final uses for the previously referred to “future development site” are now proposed within the Preferred Project Report. These are explained in more detail on Drawing RC.09. The area is proposed to be utilised for a combination of recreational open space, tourist amenity (swimming pool etc.) and a waterside boardwalk, coffee shop and boat hire facility.</p> <p>The proposal enhances the open space and conservation network upon the site.</p>
	Flooding	10(b)	<p>Flooding – the department requires satisfaction that flood free development areas can be provided on site. To achieve this in your PPR you should clearly illustrate the probable Maximum Flood. These events should then be re-modelled to show the effects of all projected climate change scenarios and the results of this illustrated and overlain on a plan of the development site. The department will require an indication of the levels of fill) or other flood mitigation works) required to avoid or reduce flood risk and ensure ongoing public safety.</p> <p>If approved, it is likely that comprehensive flood assessments will be required for each future precinct or stage of development. Council and OEH policy, as in force at that time, will then be applicable.</p>	<p>Revised flood modelling now includes Flood Depth and Flood Hazard mapping across the entire site for both the 100yr design storm and Probably Maximum Flood, including the effects of Climate Change. Detailed analysis of critical locations within the development is also provided.</p> <p>100% of all lots will remain flood free in the worst case 100yr event, including climate change. The PMF flood will inundate some lots, but will not create hazardous flows on any private property. The vast majority of the development footprint will remain hazard free in all storm events. Some roads will be inundated in the worst case extreme events, but there are substantial areas of high-ground for refuge, and always alternate safe evacuation routes available.</p> <p>The 18-page engineering plans prepared by Tattersall Lander to accompany the submission include various details about site filling, including plots of preliminary final fill levels, extent of filling plans and a staged fill quantity breakdown.</p>
	Bushfire	10(c)	<p>Bushfire – please provide an assessment that ensures adequate Asset Protection Zones can be created within proposed future subdivision applications, and that this requirement does not have consequential adverse effects on the current and future biodiversity values of the site.</p>	<p>A revised Bushfire Threat Assessment has been provided with the PPR – it demonstrates compliance with APZ requirements and reflects measured impacts upon biodiversity. It should be noted that APZs are not proposed to impact upon areas set aside for conservation.</p> <p>It is understood that the RFS is satisfied with the additional information provided.</p>
	Ecological	10(d)	<p>Ecological – the department remains concerned about the scale of the departure from the Planning Assessment Commission’s development footprint. Of greatest concern is the increased impact on Koala habitat. As a minimum, a development footprint more closely aligned with that recommended by the PAC would reduce</p>	<p>The development footprint has been modified significantly to address ecological concerns including, among others, impacts to the Koala. GHD consulted with OEH and other interested stakeholders including DoPI, to agree on the portion of the site considered suitable habitat. Other aspects discussed included width of corridors and the balance between on-site and off-site conservation. Relevant government agencies, including DSEWPac, have expressed support for the changes and the agreement to source local offsets</p>

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			<p>reliance on off-site offsets and preserve a greater area of koala habitat on-site.</p> <p>The department requires on-site koala habitat to be given higher priority as the local Tea Gardens koala population is listed as 'endangered' and is subject to a recovery plan.</p> <p>The department requires that the Ecological Site Management Strategy (ESMS) is consistent with the need to preserve conservation lands in perpetuity. The draft ESMS should constitute the single repository for all monitoring, reporting and management requirements for environmental management across the site e.g. actions from the Vegetation Management Plan (in SoC 14), flora and fauna monitoring, wetland management, bushfire management, etc. All environmental management actions from specialist reports should be summarised here. The integrated Water Management Plan and actions it recommends should remain a separate plan (including stormwater quality monitoring, groundwater etc.).</p> <p>The site management zones identified in figure 1.1 of the ESMS do not correlate exactly to those described in section 3 of the ESMS main report. Please correct.</p> <p>Final details of monitoring, reporting and management actions addressing impacts of construction works that occur (such as cultural heritage, construction noise, acid sulphate soils, erosion and sediment control, and flora and fauna management actions required during construction works etc.) are not required at this stage. These will form further assessment requirements of any concept approval.</p>	<p>which include Koala habitat in better condition than that being impacted. The proponent and the agencies understand:</p> <ul style="list-style-type: none"> <li>• The habitat being impacted by the development has been degraded through clearing and grazing practices over time</li> <li>• The eastern corridor finishes on the site meaning Koala movement is restricted to the south.</li> <li>• The site already adjoins urban development and impacts such as domestic dogs, traffic etc exist</li> <li>• The use of the site by Koalas is quite low with only limited records in the last 10 years</li> </ul> <p>The development has better aligned with the PAC but provide better connectivity with surrounding landscapes, including a wider east-west corridor than that of the PAC. Given the development of Riverside and Shearwater to the north, this corridor will be important for fauna movement in the locality in the future.</p> <p>The proponent agrees that offsite biobanks will be sourced locally. In fact, the BioBanking methodology dictates they are sourced locally as the impact is to a listed population. In addition, the potential offsite biobanks GHD has reviewed, are of better quality and provide better connectivity with suitable habitats than that being impacted at Riverside.</p>
	Integrated Water Management	10(e)	<p>Integrated Water Management (IWM) - The department has concerns that the stormwater treatment schemes identified for the previous application are still proposed in the current IWM (p.13 of the Cardno report Riverside at Tea Gardens: Integrated Water Management Main Report, December 2011). Both of these preferred schemes recommend an increase in size of the existing lake and increase of tidal flushing. The department does not support a connection to the existing amenity lake, and does not support reliance on the existing drain over Lot 19 DP270100 into the Myall River.</p> <p>The department notes the proposal seeks construction of a series of lined wetland and unlined stormwater detention basins immediately north of the existing lake which will be hydraulically linked (via groundwater) to the existing lake. The department does not support the use of the existing lake as a stormwater treatment device.</p> <p>The department does not support any increase in tidal flushing of the existing lake.</p>	<p>The revised water quality management scheme does not include or rely on the existing lake for stormwater treatment. The proposed development no longer recommends works to increase the lakes size or tidal flushing.</p> <p>The Concept Integrated Water Management Strategy (Revised) prepared by Martens and Associates (November, 2012) provides an outline of the proposed treatment train, treatment efficiencies and impacts to receiving environments.</p> <p>A preliminary peer review of the proposed treatment train, model setup and modelling assumptions has been completed by WBM BMT. Comments (minimal) have been integrated into the final model.</p>



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			<p>Please provide an updated copy of the Drainage Concept Plan - including all proposed stormwater treatment wetlands and ponds marked on it (as described in pages viii and ix of the IWM report in Volume 3).</p> <p>If approved, detailed IWM plans will likely be required as part of future Das and will be subject to council and other government policy as relevant at that time.</p> <p>The department is currently seeking an independent expert review of water quality modelling across the site and will forward the results of this review for your consideration as soon as possible.</p>	
	Transport	10(f)	<p>Transport - the department supports the submission by Transport for NSW and the RMS identifying the preference for a signalised intersection to be provided where the second proposed access to Myall Street is located (currently identified as a roundabout). This would provide a safer environment for pedestrians and cyclists moving to and from the site across Myall Street. Updated assessment, plans and commitments should be provided in this regard.</p> <p>Please revise your road hierarchy classification and conceptual road network design based on comments from Council, the RMS and Transport for NSW.</p>	<p>The two proposed roundabouts have been substituted for signalised intersections. A revised traffic report is provided with the PPR which reflects revised modelling for the signalised intersections. A commitment to the provision of signalised intersections (instead of roundabouts) has been added to the SOC.</p> <p>Road hierarchy designs have been revised accordingly. Road hierarchy detail has also been rationalised somewhat within the PPR at the request of DoPI - much of this detail does now not appear within the documentation.</p>
	Noise	10(g)	<p>Noise - provide clarification over proposed noise mound on the Bulk Earthworks Plan dated 2/12/2011).It does not appear to be justified nor required in the EA and is outside the boundary of the concept plan application.</p>	<p>Due to modifications to the proposed development footprint and extent of works, the previously proposed noise mound is not required. Reference to it has been removed from the PPR</p>
	Open Space Plan	10(h)	<p>Open space plan - provide an indicative open space network plan. This information should then be included in an updated draft of the Planning Agreement and a revised Statement of Commitments.</p>	<p>An open space network plan has been provided within the PPR (See RC-06). The plan needs to be read in combination with the future Offsetting Package and various management plans that the Offsetting Package will contain.</p>
	Concept Plan	10(i)	<p>Concept Plan - the Concept Plan for Riverside at Tea Gardens, R.C - 03 and dated November 2011 should be simplified and colour coordinated to display the following areas:</p> <ul style="list-style-type: none"> <li>• Tourist;</li> <li>• Residential (a detailed breakdown of development type will likely be required at future DA stage for each precinct);</li> <li>• Conservation;</li> <li>• Water management;</li> <li>• Open space/community; and Major roads.</li> </ul> <p>A number of matters contained within the EA are not relevant for a</p>	<p>The Concept Plan (R.C.-03) has been simplified and represented as requested.</p> <p>The Concept Plan Application has been simplified as requested by DoPI. The components identified have been removed.</p>

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			concept plan application and will not be assessed by the department. Instead, they are likely to be referred to in any further environmental assessment requirements to be dealt with in future Das - this includes development contributions and open space, detailed arrangements for community title, issues around urban design, etc. Please remove these aspects of the concept plan application.	
	Statement of Commitments	10(j)	<p>The <b>Statement of Commitments</b> (SoC) must clearly state what is being committed to and why (provide reasoning so that the intention behind the commitment is apparent), timing of the proposed action, and who is responsible in terms of both initial implementation and ongoing maintenance e.g. maintenance of conservation areas, detention basins, commitments around recycled wastewater etc. This is a key element of the concept plan application.</p> <p>This is a concept plan application only and therefore approves no earthworks or construction. Details of construction will be dealt with in future development applications on the site. Please remove any statement of commitments (and other material) that deal with earthworks or construction works e.g. SoC 6, 7, 8, 9, 10,</p> <p>Bushfire management - SoCs19-23 should be condensed into one commitment to implement bushfire management measures in accordance with the relevant management plan.</p> <p>Provide a relevant plan reference for SoC24 relating to aboriginal cultural heritage sites to be preserved. SoCs 25 and 26 should be combined into one commitment referencing a management plan for the management of aboriginal cultural heritage.</p> <p>Provide further details over what is proposed to be included in SoC 37 - Precinct management Statements. This will assist in informing further environmental assessment requirements.</p> <p>As a general note, all recommendations from specialist reports should be contained within the SoC (through management plans) and if necessary re-worded in Plain English so as to make clear the intention and proposed actions. Furthermore, as this is a concept plan the commitments should be kept relatively high level (e.g. consistent with relevant management plan) so that subsequent Das have a clear framework to work within.</p>	The Revised Statement of Commitments has been structured as requested and now forms part of the PPR.
Rural Fire Service	Bushfire	11(a)	RFS commented that the provided BTA did not contain sufficient information with regard to APZ's to undertake a proper assessment.	The Proponent provided a revised BTA to RFS via DoPI on 30 <sup>th</sup> March 2012 containing the requested information. In response the RFS issued further correspondence dated 13 <sup>th</sup> April 2012 indicating its recommended general conditions of approval. The revised BTA is contained within the PPR. The additional correspondence from the RFS is contained within the PPR.
General Public	Environment	12(a)	<ul style="list-style-type: none"> <li>The site is swamp / wetlands and should not be developed</li> </ul>	Parts of the site are mapped as Wetland, these are not proposed to be developed, instead, they are to be conserved in perpetuity within conservation areas on site.
			<ul style="list-style-type: none"> <li>Proposal differs from the PAC recommended footprint</li> </ul>	This is discussed in further detail in the agency submissions and within the PPR. The proposed footprint does differ to the PAC

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				recommended footprint for the reasons set out within the PPR.
			<ul style="list-style-type: none"> <li>Potential impact on Myall River Downs Site from sourcing fill for the Riverside site.</li> </ul>	The Myall River Downs Fill supply is an approved quarry. The Quarry is operating within the terms of its approval. Development of the Riverside site will not place demands upon the quarry beyond its approved capacity.
			<ul style="list-style-type: none"> <li>Wild life corridors are not wide enough to serve their function</li> </ul>	The wildlife corridor along the Myall River has been substantially widened within the revised Concept Plan (PPR), the issue of corridors is discussed further in response to OEH issues.
			<ul style="list-style-type: none"> <li>Endangered Ecological communities and Threatened species habitats will be impacted upon.</li> </ul>	The assessment of these impacts has been quantified (following avoidance and mitigation measures) and is proposed to be offset using Bio Banking procedures - (the process which has been specifically legislated for this purpose).
			<ul style="list-style-type: none"> <li>The proposal reduces the buffer to areas of significant habitat including SEPP 14 wetlands.</li> </ul>	The proposal actually increases the buffer (which is currently zoned 7b) by offering additional lands adjacent these areas for conservation. Lands which may otherwise, under current zoning and land uses, impact upon the wetlands. These recent amendments have the support on Government Agencies.
			<ul style="list-style-type: none"> <li>Potential for greater impact on wallabies, kangaroos and birds from cars due to increased traffic (road kill). Proximity to wildlife corridor, increased traffic on the road. Access roads should not run along the edge of the wildlife corridor in order to reduce potential for road kill. Access roads should be relocated to within the development areas and houses back onto wildlife movement corridors.</li> </ul>	<p>Wildlife impacts have been considered at length within the EA. Where ever development occurs adjacent undeveloped lands, the potential for impact exists. The use of perimeter access and focusing the majority of traffic access on existing urban roads will help greatly to reduce the incidence of edge effects at Riverside.</p> <p>It is commonly accepted that perimeter access roads creates a far better solution for the environment than having private properties back onto conservation areas, due to surveillance opportunities.</p>
			<ul style="list-style-type: none"> <li>Erosion of Habitat for animals, impact on their populations.</li> </ul>	The Riverside proposal articulates Avoid, Mitigate and Offset measures proposed under the relevant legislation - this is discussed in the EA at length.
			<ul style="list-style-type: none"> <li>Environmental reports do not consider impact on Kangaroos.</li> </ul>	Kangaroos are not a species required to be considered under the relevant legislation within Environmental reports.
			<ul style="list-style-type: none"> <li>Potential for impacts on wildlife by predation from pets.</li> </ul>	Impact Assessments have considered the scenario that wildlife will be absent from the proposed urban areas. Substantial buffers are proposed to development to help reduce impact from edge effects.
			<ul style="list-style-type: none"> <li>Location of fences should be carefully considered so as not to restrict movement along corridors by wildlife.</li> </ul>	Noted.
			<ul style="list-style-type: none"> <li>The proposed 161 Ha Strip of Offset land is inadequate.</li> </ul>	The 161 Ha strip of land referred to here is not proposed for offset (it relates to a previous proposal) Offsets will be considered within the offsetting package which will be required to be endorsed by DoPI and EPA / OEH.
	Flooding	12(b)	<ul style="list-style-type: none"> <li>The Riverside site is already subject to flooding, there is lots of puddling of water on the site after rainfall events.</li> </ul>	The Riverside development solution considers the unique flat nature of the Riverside site in detail. The proposal articulates how the proposed water management solution for the site will ensure a flood free outcome on site - allowing for climate change impacts.
			<ul style="list-style-type: none"> <li>After Sea level rise, this site will be exposed to far greater impacts from flooding how will this be addressed</li> </ul>	As above
			<ul style="list-style-type: none"> <li>Areas requiring filling should be exempt from development.</li> </ul>	Filling is an integral part of the Riverside proposal in order to establish falls and coverage to services on site etc. Without this filling, developed parts of the site would be at a far greater risk of stormwater management issues.
			<ul style="list-style-type: none"> <li>The need for fill to overcome flooding issues is requiring a massive cut from the Myall River Downs Sand Quarry - it's a scar on the landscape.</li> </ul>	It is an approved quarry, operating well within capacity and to approval standards.
	Water Management	12(c)	<ul style="list-style-type: none"> <li>Potential for impact on adjacent Ground Water dependent Eco Systems.</li> </ul>	This has been discussed at length within the Concept Plan. In summary the proposal demonstrates how ground water quality and ground water levels will be maintained or enhanced as a result of development. The proposed Water Management Solution for the site has been completely redesigned. The new proposal results in lower ground water drawdown (due to the removal of proposed fresh water basins) and a greater level of protection to ground water quality, through a more efficient water quality management regime.

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			<ul style="list-style-type: none"> <li>Potential for impact on the quality of water in the Myall River from Runoff</li> </ul>	This has been discussed at length within the Concept Plan. In summary the proposal demonstrates a no net increase in pollutants being exported to the Myall River.
	Infrastructure	12(d)	<ul style="list-style-type: none"> <li>Infrastructure needs to be provided to service the town ahead of development. Already issues with sewer, water and electricity.</li> </ul>	Infrastructure upgrades are proposed as part of the development of the Riverside site. Existing residents will benefit from these upgrades as well.
	Real Estate	12(e)	<ul style="list-style-type: none"> <li>Shearwater is proposed to be a buffer zone, this will limit future development potential within Shearwater and be reflected in Section 149 certificates.</li> </ul>	Shearwater is not proposed to be a buffer zone (the Riverside proposal does not propose any uses outside of the Riverside site - except for upgrades of the adjacent street network and playing fields on the Myall River Downs site)
			<ul style="list-style-type: none"> <li>Adding such a large amount of development will devalue existing lot owner's values.</li> </ul>	<p>Development on the Riverside site is a staged development intended to be rolled out over a number of years. The market will not be "flooded" with land in a short period.</p> <p>The upside for many existing residents will be access to a greater range of services and infrastructure as a result of increased development and population.</p>
	Assessment Process	12(f)	<ul style="list-style-type: none"> <li>The PAC should be reconvened to assess the new proposal in comparison to the old one.</li> </ul>	This is an issue for the NSW DoPI.
	Traffic and Transport	12(g)	<ul style="list-style-type: none"> <li>Toonang Drive intersection is already poorly designed it requires deceleration lanes into and acceleration lanes out Toonang Drive. It is also poorly lit. New development will only add to this existing problem.</li> </ul>	We note Council's current Section 94 plan for Tea Gardens details considerable road works. The Riverside proposal has now been updated to include the commitment to upgrade the Toonang Drive intersection to a 'Seagull' type intersection (I.E.) one with acceleration and deceleration lanes.
			<ul style="list-style-type: none"> <li>The Main road into town is not designed for the capacity of traffic that the development will generate, it is only one lane each way.</li> </ul>	Original and updated modelling shows that the road into town has adequate capacity to service the development. We understand this is also the view of the local Council.
			<ul style="list-style-type: none"> <li>Could an additional access on Myall Way be considered instead of using Toonang Drive as an access point to the site?</li> </ul>	<p>Two accesses are already proposed to service the development from Myall street. From a capacity point of view, these accesses are adequate to service the needs of the development. However modern conventional traffic design wisdom suggests that multiple accesses allow greater site permeability and alternative options for emergency services.</p> <p>The expected usage of the Toonang Drive accesses are very minor by comparison.</p>
			<ul style="list-style-type: none"> <li>Consideration should be given to removing the link to North Shearwater and letting that development be served by the current access to Viney Creek Road.</li> </ul>	This link is a Council requirement - which has been reiterated by Council on more than one occasion, and constitutes part of planning requirements for the site.
			<ul style="list-style-type: none"> <li>Current condition of Toonang drive is not suited to increased traffic proposed by the development.</li> </ul>	See comments above.
	Planning / Urban Design	12(h)	<ul style="list-style-type: none"> <li>Enough vacant land is available to the west of the site for development, why develop down on the flood plain.</li> </ul>	<p>The Riverside site was zoned in 2000 for residential / commercial development. Council's and the NSW State Govt. release strategies all highlight a growth strategy which expands the existing township - rather than one of decentralisation.</p> <p>This strategy allows for efficient use of infrastructure, access to existing services etc. It is a decision which has been made in the past at a strategy level. The development of the Riverside site will help implement this strategy.</p>
			<ul style="list-style-type: none"> <li>Lots are too small, most people want lots larger than 650 sqm.</li> </ul>	Council dictates a minimum density requirement of 13 DW/Ha - this equates to an approximate average lot size of 600 sqm. The Riverside proposal includes a range of lot sizes from 400 - 1000 sqm in order to provide choice to purchasers. However the proponent is required by the Council to demonstrate compliance with the minimum density requirements for each stage of the development.
			<ul style="list-style-type: none"> <li>Small lots will promote use as affordable housing for tenants on benefits, and there are no employment options in the region.</li> </ul>	It is likely that many of the smaller lots will be taken up by retirees seeking a compact more affordable and more manageable housing solution.
			<ul style="list-style-type: none"> <li>Small lots result in cars and trailers being parked on the street - causing aggravation to other residents.</li> </ul>	The majority of lots will easily accommodate double garages and front setbacks which allow off-street parking on the drive way.

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				Current Myall Quays Community Title provisions preclude the parking of caravan and / or boats on street in front of the house or within the front setback.
			<ul style="list-style-type: none"> <li data-bbox="765 359 1400 415">What has happened to the proposed commercial area - has this been removed from the plan?</li> </ul>	<p data-bbox="1427 359 2742 443">Intentions for the proposed commercial area remain the same. The local Council is currently considering the extent of area to be rezoned for commercial uses, through its comprehensive LEP process. This will lead to a revisit of planning of the Commercial area following this process.</p> <p data-bbox="1427 478 2742 499">Further development application within the Commercial area will then be considered by the local Council rather than the State Govt.</p>