



NSW GOVERNMENT  
**Department of Planning**

Contact: Thomas Mithen  
Phone: 9228 6336  
Fax: 9228 6540  
Email: [thomas.mithen@planning.nsw.gov.au](mailto:thomas.mithen@planning.nsw.gov.au)  
Our ref: MP 06\_0309

Mr Keith Johnson  
Johnson Property Group  
340 Kent Street  
Sydney NSW 2000

Dear Mr Johnson,

**Subject: Proposed Marina/Residential/Tourist development at Lot 31 DP 1117408, Part Lot 32 DP 1119836 & Part Lot 33 DP 1117408 Trinity Point, Lake Macquarie (off Morisset Road) and the Lake Macquarie waterway (MP 06\_0309).**

On 7 April 2008, the Minister formed the opinion that your amended Project is one to which Part 3A of the Environmental Planning and Assessment Act 1979 ("the Act") applies. In addition, the Minister authorised the lodgement of a Concept Plan.

The Director-General's Environmental Assessment Requirements (DGRs) for the Environmental Assessment (EA) of the project for a Concept Plan are attached to this correspondence at **Attachment 1**. These requirements have been prepared by the Department in consultation with the relevant government agencies including Lake Macquarie City Council. The Director-General may alter or supplement these requirements, if necessary, and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

It is noted that the residential component of the proposal is currently prohibited under the Lake Macquarie Local Environmental Plan 2004 (LEP 2004) and that Council has resolved under Section 54 of the Act to amend the zoning to permit the residential development. The EA for the proposal should therefore not be placed on public exhibition until the draft LEP has received a certificate certifying that it may be publicly exhibited under Section 65 of the Act.

The Department is currently organising to delegate the assessment of the application to Council which will allow Council to undertake exhibition and assessment of the proposal. However, the Minister will remain the consent authority.

Therefore you should contact the Council at least two weeks before you propose to submit the Environmental Assessment (EA) for the project to determine:

- the fees applicable to the application;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

**Attachment 2** lists the relevant plans and documents which are likely to be required upon submission of your proposal. A list of some relevant technical and policy guidelines which may assist in the preparation of this EA are at **Attachment 3**.

Prior to exhibiting the EA, the Council will need to review the document to determine if it adequately addresses the DGRs. The Council may consult with other relevant government agencies in making this decision. If the Council considers that the EA does not adequately address the DGRs, they may require the EA to be revised accordingly.

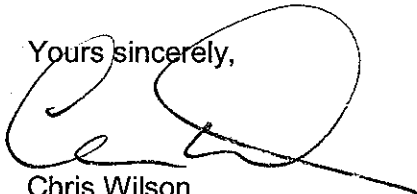
Following this review period, the EA will be made publicly available for a minimum period of 30 days. It will be placed on the Department's and the Council's website along with other relevant information which becomes available during the assessment of the project. You must provide all documents and plans in a suitable format for the web.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance (NES), it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Commonwealth Department of Environment, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to have a significant impact on matters of NES and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of NES. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Council immediately as supplementary DGRs will need to be issued.

Copies of responses from government agencies to the Department's request for key issues and assessment requirements are enclosed at **Attachment 4**. Please note that these responses have been provided to you for information only and do not form part of the DGRs for the EA.

If you have any enquiries about these requirements, please contact Thomas Mithen on 02 9228 6336 or via e-mail at [thomas.mithen@planning.nsw.gov.au](mailto:thomas.mithen@planning.nsw.gov.au).

Yours sincerely,



17.4.08

Chris Wilson  
**Executive Director, Major Project Assessments  
as delegate for the Director General**

# Attachment 1

## Director-General's Environmental Assessment Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

<b>Application number</b>
MP 06_0309
<b>Project</b>
<p><b>Concept Plan Application:</b> A concept plan approval is sought for construction of a marina comprising 308 wet berths and associated marina club, repair and maintenance facilities, chandlery and helipad, restaurant and café, function rooms, business centre/office, gymnasium, shops, 150 apartments (75 residential and 75 tourist accommodation), boardwalk and associated parking.</p> <p>The application will involve approval of the following conceptual key design parameters: marina and land use, built form, building heights and residential unit types, site coverage, FSR, setbacks, roads and vehicle access, pedestrian through site linkages, public domain works and infrastructure requirements, stormwater management and landscaping.</p>
<b>Location</b>
Lot 31 DP 1117408, Part Lot 32 DP 1119836 & Part Lot 33 DP 1117408 - Trinity Point, Lake Macquarie (off Morisset Road).
<b>Proponent</b>
Johnson Property Group
<b>Date issued</b>
April 2008
<b>Expiry date</b>
2 years from date of issue
<b>General requirements</b>
<p>The Environmental Assessment (EA) for the Concept Plan Application must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. An outline of the scope of the project including: <ul style="list-style-type: none"> <li>• any development options;</li> <li>• justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest;</li> <li>• outline of the staged implementation of the project if applicable;</li> </ul> </li> <li>3. A thorough site analysis including the affected part of the waterway (Lake Macquarie) and a description of the existing environment and constraints mapping;</li> <li>4. Consideration of relevant statutory and non-statutory provisions, in particular relevant provisions arising from environmental planning instruments, State Environmental Planning Policies in particular SEPP 65 – Design Quality of Residential Flat Development, Regional Strategies (including draft Regional Strategies) and Development Control Plans. Including <i>Lake Macquarie Estuary Management Plan</i>; <i>Lake Macquarie Mooring Management Plan</i>; <i>Lake Macquarie Foreshore Stabilisation and Rehabilitation Guidelines</i>; and <i>Lake Macquarie Lifestyle 2020 Strategy</i>. Identify non-compliances and provide justification for any</li> </ol>

- departures.
5. Consideration of impacts, if any, on matters of national environmental significance under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*;
  6. Consideration of the consistency of the project with the objects of the *Environmental Planning and Assessment Act 1979*.
  7. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;
  8. The plans and documents outlined in **Attachment 2**;
  9. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;
  10. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project; and
  11. An assessment of the key issues specified below and a table outlining how and where in the EA document these key issues and the above requirements have been addressed.

### **Key Issues for the Concept Plan**

The EA must address the following key issues:

#### **1. Strategic Planning and Rezoning**

- 1.1 Justify the proposal with reference to relevant local, regional and state planning strategies including the draft Local Environment Plan to amend the zoning of the land to permit residential development on the site. In that regard provide justification for any inconsistencies with these planning strategies.

#### **2. Owner's consent**

- 2.1 The proponent must provide evidence of land owner's consent to make application for all components of the proposal on Crown land, including the marina and helipad.

#### **3. Design and Visual Impact**

- 3.1 Provide a comprehensive Site Analysis identifying constraints and including landform features, levels, vegetation, heritage and other relevant environmental features.
- 3.2 Demonstrate the achievement of design excellence having regard to the significance of the site in relation to Lake Macquarie and its environs. Address impacts of the proposal on the amenity of the foreshore, overshadowing of open space and loss of views from public places and from existing approved development.
- 3.3 Identify urban design guidelines that take into account the existing low density character of the locality and identify appropriate development parameters in relation to building heights (number of storeys and metres), foreshore setbacks, building separations, site coverage and floor space ratios based on careful analysis of the site's constraints and opportunities and the potential visual and environmental impacts.
- 3.4 Address visual impact in the context of adjoining and surrounding development in relation to setting, density, built form, building mass, and height as viewed from the public domain including Lake Macquarie and all publicly accessible foreshore locations. The visual impact of the marina including the pylons and helipad and all other associated structures must be addressed in the visual impact analysis. In that regard a Visual Impact Analysis should include all significant vantage points from where the site can be viewed, both water and land based and provide relevant mitigation measures.

- 3.5 Use visual aids such as a scale model and photomontages to demonstrate visual impacts. Amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas must be addressed.
- 3.6 Demonstrate the suitability of the proposal with the surrounding area in relation to potential character, height, bulk, scale, built form, amenity (including noise) and visual amenity having regard to *SEPP 71, NSW Coastal Policy 1997, Coastal Design Guidelines of NSW (2003)*, objectives of the 6(2) Tourism and Recreation zone and all relevant development control plans including *Lifestyle 2020 Strategy, DCP No. 1 – Principles of Development*.
- 3.7 Address the landscape setting and retention of existing significant vegetation on the site. Demonstrate that any removal of vegetation on the site will have minimal visual impacts.
- 3.8 Provide details of residential unit types and future management of tourist accommodation and measures to ensure conflict between user groups does not occur.

#### **4. Public Access**

- 4.1 Address existing and future opportunities for public access to and along the foreshore and future ownership and management of the foreshore reserve including any arrangements required by or of Lake Macquarie City Council.
- 4.2 Address the views of the *Lake Macquarie Estuary and Coastal Management Committee* and the *Office of the Lake Macquarie and Catchment Co-ordinator* and the related *Lake Macquarie Project Management Committee*;
- 4.3 Assess the impacts on recreational amenity arising from the loss of public access to areas of the lake that are proposed for marina and helipad operations.
- 4.4 Assess the impact on the Council foreshore reserved land and the impacts arising from reduced public access to the foreshore and the waterway.

#### **5. Water Cycle Management**

- 5.1 Address potential impacts on the water quality including stormwater management systems, surface water controls, management of slipways, hardstands and vessels, management of sewerage waste from vessels, fuel and chemical storage and management and spill management having regard to *State Groundwater, Rivers, Wetlands and Estuary Policies, Lake Macquarie Estuary Management Plan, Lake Macquarie Mooring Management Plan and Lake Macquarie Foreshore Stabilisation and Rehabilitation Guidelines*.
- 5.2 Address pollutant runoff loads from the site, treatment of waste, effluent disposal and sediment and erosion control. Demonstrate an acceptable level of water quality protection with respect to downstream receiving waters during and after construction.
- 5.3 Address changes in the hydrological regime of the catchment as a result of the project.
- 5.4 Provide a Water Management Plan and Site Water Balance incorporating on-site re-use of water; prevention of wet weather overflows of contaminated stormwater; segregation of contaminated water from non-contaminated water; spillage controls and bunding.

#### **6. Waste Management**

- 6.1 Identify all potential sources of liquid wastes and non-liquid wastes as defined in the environmental guideline *Assessment, Classification and Management of Liquid and Non-Liquid Wastes (EPA 1999)*. The EA should identify any wastes that will be stored, separated or processed on the site and identify the procedures to be adopted to manage these wastes.
- 6.2 Identify strategies for the management of sewerage waste from vessels and other

sections of the facility including pump-out facilities and holding tanks; connections to sewerage systems operated by Hunter Water Corporation or options for waste water treatment, including examination of re-use options; spill management and containment; and management of privately owned vessels at the marina.

## **7. Groundwater Protection**

- 7.1 Address the *NSW Groundwater Policy Framework Document – General, NSW Groundwater Quality Protection Policy and NSW Groundwater Dependent Ecosystem Policy*.

## **8. Infrastructure Provision**

- 8.1 Address existing capacity and requirements of the development for sewerage, water, electricity, waste disposal, telecommunications and gas in consultation with relevant agencies. Identify and describe staging, if any, of infrastructure works.
- 8.2 Address developer contributions, and provide the likely scope of any planning agreement with Council/ Government agencies. In particular the dedication of land zoned open space adjoining the foreshore to Council in accordance with *Lake Macquarie s94 Contributions Plan*.
- 8.3 Address the provision of infrastructure for social and community needs due to residential development.
- 8.4 If applicable, provide details of the deed of agreement with the Roads and Traffic Authority for State Road infrastructure.

## **9. Noise Impact**

- 9.2 A Noise Assessment Report, prepared by a qualified acoustic consultant, is required to investigate potential noise impacts to more sensitive tourist and residential uses on the site and in the vicinity during the construction phase of the proposal and from the general operation of the marina facility and road transport to and from the site. Where necessary outline details of noise amelioration measures for the marina complex (refer to discussion under Section 15 in relation to helicopter noise).

## **10. Traffic and Access**

- 10.1 Prepare a Traffic Impact Study in accordance with the RTA's *Guide to Traffic Generating Developments*. Identify the suitability of the existing road network to accommodate the development and the adequacy of on-site parking and servicing arrangements. The traffic analysis shall use SIDRA or similar traffic model and take into account relevant intersections including current and traffic growth projects for the life of the project, 95<sup>th</sup> percentile back of queue lengths and delays and level of service on all legs. Provide an electronic copy of the traffic analysis/modelling in CD format
- 10.2 Address *Draft SEPP 66 – Integration of Land Use and Transport* and *DoPs EIS Guidelines on Roads and Related Facilities*.
- 10.3 Identify needs (if any) to upgrade roads/junctions and improvement works to ameliorate any traffic inefficiency and safety impacts associated with the development where relevant. This should include identification of pedestrian movements and appropriate treatments.

## **11. Aboriginal and Cultural Heritage**

- 11.1 Address the draft *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, July 2005)*.
- 11.2 Identify whether the site has significance in relation to Aboriginal cultural heritage and identify appropriate measures to preserve any significance. This is to be undertaken

<p>by an appropriately qualified person in consultation with the local Aboriginal community.</p> <p>11.3 Identify any items of European heritage significance and provide measures for conservation of such items.</p> <p>11.4 Address impacts on World Heritage areas, places listed on the National Heritage List and protected under the EPBC Act.</p>
<b>12. Flora and Fauna</b>
<p>12.1 Assess potential impacts on threatened species, populations and endangered ecological communities in accordance with the draft <i>Guidelines for Threatened Species Assessment</i> DEC &amp; DPI July 2005</p> <p>12.2 Address measures for the conservation of flora and fauna and their habitats within the meaning of the <i>Threatened Species Conservation Act 1995</i> and the <i>Fisheries Management Act</i>, having regard to the <i>Draft Guidelines for Threatened Species Assessment</i> (DEC &amp; DPI July 2005). Address impacts on migratory species, RAMSAR wetlands and species listed under Section 18 and 18A of the EPBC Act.</p> <p>12.3 Assess the impacts on flora and fauna in accordance with the <i>Lake Macquarie Flora and Fauna Survey Guidelines</i>.</p>
<b>13. Natural Hazards</b>
<i>Coastal Processes</i>
<p>13.1 Address coastal hazards and the provisions of the Coastline Management Manual. In particular consider impacts associated with wave and wind action, coastal erosion, sea level rise and more frequent and intense storms (also refer to discussion below under flooding).</p> <p>13.2 Address consistency with <i>Rivers and Foreshores Improvements Act 1948</i>, <i>NSW Coastal Policy</i>, <i>NSW Wetlands Management Policy</i>, <i>NSW State Rivers and Estuaries Policy</i> and <i>NSW Estuary Management Policy</i>.</p>
<i>Contamination</i>
<p>13.3 Identify any contamination on site and appropriate mitigation measures in accordance with the provisions of SEPP 55 – Remediation of Land.</p>
<i>Acid Sulfate Soils</i>
<p>13.4 Identify the presence and extent of acid sulfate soils on the site and, where relevant, appropriate mitigation measures in accordance with the Acid Sulfate Soil Manual (NSW Acid Sulfate Soil Management Advisory Committee 1998).</p>
<i>Geotechnical</i>
<p>13.5 Prepare a geotechnical assessment of the property to address potential impact of subsidence and future mining of coal resources in the area.</p>
<i>Flooding</i>
<p>13.6 Demonstrate the development is compatible with Council's relevant Flood Policy and in accordance with the guidelines contained in the <i>NSW Floodplain Development Manual</i> (2005). Provide a Floodplain Risk Management Study addressing the potential impacts of flooding, taking into consideration the potential risks associated sea level rise and changes to hydrological processes, potential shoreline recession and greater frequency and intensity of storms. These risks should be assessed on the impact from development on the flooding regime and impacts from flood on proposed development.</p>

## **14. Marina Development and Potential Impacts**

### **14.1 Address the potential marina impacts:**

- due to the marine structure and operations on the seabed, in particular on seagrass and benthic organisms including the shading effects of the structures proposed measures to prevent/mitigate impact (The design should minimise shading on the seagrass beds);
- due to any structure located on the foreshore to interfere with the free movement of seagrass wrack along the foreshore, and on wave energy and the risk of deflection or refraction to other locations and proposed measures to prevent/mitigate impacts;
- due to stormwater run-off on water quality and seagrass beds and proposed measures to prevent/mitigate impacts;
- due to marina operations and the increase in vessel numbers and usage levels on water quality, aquatic ecology, and recreational amenity;
- due to management of travel lift, hardstand areas, workshop, vessels, management of sewerage waste from vessels, fuel and chemical storage and management and spill management on water quality and seagrass beds and proposed measures to prevent/mitigate impacts;
- on navigation and existing swing moorings on or in the immediate area of Bardens Bay;
- on air quality including dust generation during construction activities and boat maintenance and repairs;
- due to day berthing facilities for the general public;
- due to dredging activities including method to be used; dimension of area of works; nature of sediment; environmental safeguards;
- marine vegetation and include mapping and density distribution and measures to minimise harm to marine vegetation and details of compensatory habitat development to replace lost vegetation;
- on fish species and their habitat; and
- on commercial, recreational or indigenous fishing activities.

14.2 Justify the suitability of the site for a marina development including the extensive infrastructure (eg. breakwalls) to accommodate the proposal in this location.

14.3 Address the cumulative impact on increased boating activities in the locality including the provision of appropriate boating infrastructure.

14.4 Provide hydrographic survey and modelling details and the need for dredging both on-site and for access from other parts of the lake and ocean (via Swansea Channel) and the impacts and on-going maintenance issues.

14.5 Undertake an assessment of potential impacts of the marina development on hydrodynamic processes within Lake Macquarie and Bardens Bay including detailed hydrodynamic modelling undertaken to quantify potential impacts.

14.6 Undertake an analysis of the need for marina facilities and consider other existing and proposed marina developments on Lake Macquarie and the suitability of the site for marina facilities.

14.7 Address the principles of Crown lands management under Section 11 Crown Lands Act 1989 and Part 3 – the land assessment provisions.

14.8 Provide an economic feasibility report, prepared by an appropriately qualified consultant, addressing the proposed marina size and the tourism component.

## 15. Establishment of Helipad and Helicopter Noise Impacts

- 15.1 Address CASA's *Guideline for Establishment and Use of Helicopter Landing Sites (HLS)*, in particular the "Recommended Criteria for a Basic and Standard HLS".
- 15.2 A Noise Assessment Report, prepared by a qualified acoustic consultant is required to investigate potential noise impacts associated with the taking off, approaching and enroute of helicopters to the helipad. The report shall address potential impacts on residential areas and other noise sensitive locations/uses; fauna and their habitats in particular threatened species, populations, or ecological communities of fish or marine vegetation and their critical habitat.
- 15.3 Identify all types of helicopters that are proposed to be used and include flight path, hours and frequency of operation, noise contours/levels, route, noise mitigation measures and/or acoustic treatments and need for such a facility. Best practice in the measurement and prevention/mitigation of noise impacts shall be adopted.

## 16. Energy Efficiency

- 16.1 Demonstrate intended compliance with the *Lake Macquarie Development Control Plan No. 1 – Volume 1 - Energy Efficiency for Residential and Commercial Buildings* and the *Lake Macquarie Greenhouse Action Plan*.
- 16.2 Identify how the proposal will reduce water usage and greenhouse gas emissions to satisfy BASIX targets.

## Consultation

You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:

### (a) Agencies or other authorities:

- Commonwealth Department of Environment, Water, Heritage and the Arts;
- Department of Water and Energy;
- Department of Environment and Climate Change;
- Department of Planning Hunter Regional Office, Newcastle;
- Department of Primary Industries;
- Department of Lands;
- Heritage Council;
- Mine Subsidence Board;
- New South Wales Aboriginal Land Council and Local Aboriginal land Council/s such as the Koopahtoo Local Aboriginal Land Council and other Aboriginal community groups including the Awabakal Descendants Traditional Owners Aboriginal Corporation;
- NSW Road and Traffic Authority;
- Commonwealth Civil Aviation Safety Authority;
- Lake Macquarie City Council;
- NSW Maritime Authority; and
- Hunter Water Board; and
- Relevant energy supply authority.

### (b) Public:

Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy. Consultation should include the *Lake Macquarie Estuary and Coastal Management Committee*, *Lake Macquarie Aquatic Services Committee*, *The Office of the Lake Macquarie and Catchment Coordinator* and the *Lake Macquarie Project Management Committee* and address any issues raised in stakeholder forums

The consultation process and the issues raised should be described in the Environmental Assessment.

**Deemed Refusal Period**

**60 days**

## Attachment 2

### Plans and Documents to accompany the Application

#### Plans and Documents of the development

The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted with your Concept Plan application:

1. The **existing site survey plan** is to be drawn to 1:500 scale (or other appropriate scale) and show:
  - the location of the land, the measurements of the boundaries of the land, the size of the land and north point;
  - the existing levels of the land in relation to buildings and roads;
  - location and height of existing structures on the site;
  - location and height of adjacent buildings and private open space.
2. An **aerial photograph** of the subject site with the site boundary superimposed.
3. A **Site Analysis Plan** must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, natural features such as watercourses, rock outcrops, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways etc.).
4. A **locality/context plan** drawn to 1:500 scale (or other appropriate scale) should be submitted indicating:
  - significant local features such as parks, community facilities and open space, water courses and heritage items;
  - the location and uses of existing buildings, shopping and employment areas;
  - traffic and road patterns, pedestrian routes and public transport nodes; and
  - The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation.
5. The **Environmental Assessment** in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1.
6. The **Conceptual Architectural drawings** are to illustrate the following general features:
  - location of any existing building envelopes or structures on the land;
  - and proposed dwelling types;
  - location of proposed public open space;
  - public domain works, proposed communal facilities and servicing points;
  - indicative building heights shown as building envelopes in elevation, significant level changes;
  - FSR, building separations and foreshore setbacks;
  - parking and vehicular access arrangements; and
  - pedestrian access to, through and within the site.

	<p>7. <b>Other Plans</b> including (where relevant):</p> <p><b>Road Hierarchy &amp; Open Space Network Plans</b> - illustrating indicative road and open space networks.</p> <p><b>Stormwater Concept Plan</b> – illustrating the concept for stormwater management from the site.</p> <p><b>Infrastructure Plans</b> – conceptual drawings indicating all proposed infrastructure including roads, water supply, water re-use, sewerage and earthworks.</p> <p><b>Landscape Concept Plan</b> – plan or drawing that shows the indicative planting design and plant species to be used, listing botanical and common names.</p> <p><b>View Analysis</b> – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development.</p> <p><b>Flood Evacuation Plan</b> – plan showing the proposed access from the site during extreme flood events.</p> <p><b>Foreshore Open Space Plan</b> – showing location of the cycleway/walkway and any proposed structures or easements over the land.</p> <p><b>Water Cycle Management Plan</b> – showing all hardstand areas and stormwater management systems.</p> <p><b>Waste Management Plan</b> – showing all sources of waste to be stored, separated or processed including pump-out facilities and holding tanks and spil management procedures</p> <p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted with your application:</p> <p>8. The detailed <b>Architectural drawings</b> associated with the marina buildings and structures are to illustrate the following general features:</p> <ul style="list-style-type: none"> <li>• location of any existing building envelopes or structures on the land;</li> <li>• the sections, elevations and floor plans of buildings/structures associated with the marina;</li> <li>• public domain works, proposed communal facilities and servicing points;</li> <li>• public and private parking and vehicular access arrangements; and</li> <li>• pedestrian access to, through and within the marina site and/or waterway and adjoining foreshore areas.</li> </ul> <p>9. The detailed <b>Design Drawings</b> associated with the marina including the breakwater and other associated water based structures including the helipad.</p> <p>10. The detailed <b>Visual Site Analysis</b> associated with the land based development and proposed marina and helipad and associated buildings and structures in the context of surrounding development.</p> <p>11. It is understood the application will be documented to a Project Application standard for the marins including hardstand areas and workshop, helipad, breakwater, travel lift and fuel storage. The detailed environmental/design reports including a Coastal Processes Study, Breakwater Design Study and other relevant assessments to satisfactorily address the issues associated with the marina and associated facilities outlined in <b>Attachment 1</b>.</p>
<p><b>Specialist advice</b></p>	<p>Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practising</p>

	<p>consultants in relation to issues including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Aquatic Ecology and Coastal processes</li> <li>• Flora and Fauna;</li> <li>• Landscaping;</li> <li>• Aboriginal Archaeology and European Heritage;</li> <li>• Geotechnical and/or hydro-geological (groundwater);</li> <li>• Stormwater/drainage and Flood Management;</li> <li>• Urban Design/Architectural;</li> <li>• Traffic and Access;</li> <li>• Contamination in accordance with the requirements of SEPP 55;</li> <li>• Acid Sulphate Soil Management Plan;</li> <li>• Town Planning, visual analysis including justification of proposed building envelopes and heights in relation to relevant controls;</li> <li>• Social and Economic Impact;</li> <li>• Disability Access;</li> <li>• Building Code Australia;</li> <li>• Hydrodynamic Processes; and</li> <li>• Greenhouse Gas Emissions.</li> </ul>
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>• 25 hard copies of the Environmental Assessment;</li> <li>• 25 sets of architectural and landscape plans to scale, including ten (10) sets at A3 size (to scale);</li> <li>• 6 copies of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below); and</li> <li>• If the Environmental Assessment is bulky and lengthy in volume, you will be required to package up each Environmental Assessment ready for distribution by the Council to key agencies.</li> <li>• Six (6) full sets of all documentation (EA and plans) (hard copy) to scale for placement in the Morisset Council library</li> </ul>
<b>Electronic Documents</b>	<p>Electronic documents presented to Council and the Department of Planning for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> <li>• Adobe Acrobat PDF files and Microsoft Word documents must be no bigger than 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files.</li> <li>• File names will need to be logical so that the Council and Department can publish them in the correct order. Avoid sending documents that are broken down in more than 10 files.</li> <li>• Image files should not be bigger than 2Mb. The file names will need to be clear and logical so the Council and Department can publish them in the correct order.</li> <li>• Graphic images will need to be provided as [.gif] files.</li> <li>• Photographic images should be provided as [.jpg] files.</li> <li>• Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each.</li> <li>• Images inserted into the document will need to be calibrated to produce files smaller than 1.5Mb. Large images will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. The file names will need to be clear and logical so the Council and Department can publish them in the correct order.</li> </ul> <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Council's and Department of Planning's website.</p>

## Attachment 3

### State Government technical and policy guidelines

The following list provides relevant technical and Policy Guidelines which may assist in the preparation of the Environmental Assessment. It should be noted, however, that this list is not exhaustive as other documents and policies may need to be reviewed. It is also important to note that not of all of these guidelines may be relevant to your proposal.

The majority of these documents can be found on the relevant Departmental Websites, on the NSW Government's on-line bookshop at <http://www.bookshop.nsw.gov.au> or on the Commonwealth Government's publications website at <http://www.publications.gov.au>.

Aspect	Policy /Methodology
<b>Biodiversity</b>	
<b>Flora and Fauna</b>	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Department of Planning 2005)
<b>Fish and Aquatic Ecosystems</b>	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
	Threatened Species Management Manual (NPWS, 1998)
<b>Coastal Planning</b>	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, NSW Government, 1997
	Coastal Design Guidelines for NSW, PlanningNSW, February 2003
	NSW Wetlands Management Policy (DLWC, March 1996)
<b>Bushfire</b>	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
<b>Contamination of Land</b>	
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
<b>Environmental Management Systems</b>	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)
<b>Heritage</b>	
<b>Aboriginal</b>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC July 2005)
	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A ( Planning 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
<b>Non-Indigenous</b>	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	NSW Heritage Manual (NSW Heritage Office, 1996)
<b>Noise</b>	

Aspect	Policy /Methodology
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
<b>Rehabilitation</b>	
	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
<b>Safety and Hazards</b>	
	Electrical Safety Guidelines (Integral Energy)
<b>Soils</b>	
	Acid Sulfate Soil Manual (ASSMAC)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
<b>Traffic &amp; Transport</b>	
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
	Guide to Traffic Generating Developments (RTA, 2002)
<b>Urban Design: Cycleway/Pathway Design</b>	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
<b>Water</b>	
	Water quality guidelines for the protection of aquatic ecosystems for upland rivers. (ANZECC, 2000)
<b>Floodplain</b>	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
<b>Groundwater</b>	NSW State Groundwater Quality Protection Policy (DLWC, 1998, 0 7313 0379 2)
<b>Stormwater</b>	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
<b>Waterways</b>	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)
<b>Climate Change</b>	Floodplain Risk Management Guideline – Practical Consideration of Climate Change (DECC 25 October 2007)
<b>EPBC Act</b>	
<b>FOR CONTROLLED ACTION</b>	<b>A</b> Commonwealth Environment Protection and Biodiversity Conservation Act 1999: Guide to implementation in NSW: March 2007

## **Attachment 4**

### **Agency Responses to Request for Key Issues**

#### **- For Information Only**

- Lake Macquarie Council
- NSW Department of Primary Industries
- NSW Department of Natural Resources (now known as Department Water and Energy)
- NSW Department of Planning Hunter Regional Office
- NSW Department of Environment and Climate Change (formerly DEC)
- NSW Roads and Traffic Authority
- NSW Department of Lands
- NSW Maritime Authority
- Rural Fire Service
- Civil Aviation Safety Authority