

7 July, 2008

Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Our Reference: 0043707Cl6CWL05.doc

Attention: Chris Wilson



Dear Chris,

**RE: RIVERSIDE AT TEA GARDENS - PROPOSED PART 3A
APPLICATIONS (MP06_0010)**

1. INTRODUCTION

This letter formally seeks permission to lodge this application under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This request has been prepared on behalf of our client, Crighton Properties Pty Ltd, who wish to seek confirmation that pursuant to clause 6 of the Major Projects State Environmental Planning Policy (SEPP) that the further development of 'Riverside' at Tea Gardens, incorporating residential, commercial and tourist development would be considered to be a major project under Part 3A of the *EP&A Act*.

It is our client's intention to submit:

- a concept plan application under Part 3A of the *EP&A Act* for the Riverside at Tea Gardens development; and
- a project application under Part 3A of the *EP&A Act* for the first stages of development of Riverside.

A completed application form for the Project is enclosed along with a plan detailing the boundaries of the site. A description of the proposed development is provided in Section 2 and a summary of the relevant planning provisions is detailed in Section 3.

2. THE PROPOSAL

The Riverside at Tea Gardens site ('the site') is located within the Great Lakes Local Government Area on the Mid North Coast and incorporates Lot 1 DP 270100, Lot 10 DP 270100, Lot 19 DP 270100, Lot 30 DP 270100 and Lot 38 DP 270100. A locality plan is provided in *Figure 1*. The site is approximately 229 hectares in area and has approximately a one kilometre frontage to Myall Street and a two kilometre frontage to the Myall River. The proposed Riverside at Tea Gardens development includes residential use over the majority of the site, commercial development adjoining the existing commercial area and a tourist and a residential component located in the north eastern corner of the site.

Concept Plan Approval

Concept Plan approval is sought for the following:

- residential development of the site (covering approximately 85 hectares), which will include the potential to create 1045 dwellings, including:

Development	Number of Dwellings
Residential (variety of lots)	980
Tourist Precinct - lodges	50
Tourist Precinct - houses	15
Total	1045

- an extension of the existing town centre on the north side of Shoreline Drive, to accommodate a range of uses including additional retail and commercial uses, a child care and a motel (approximately 4 hectares);
- water sensitive urban design (WSUD) measures including a two hectare extension of the existing detention lake, the creation of three new freshwater detention ponds and numerous additional basins surrounded by parklands and widening of the existing drainage channel between the detention lake and the Myall River to facilitate water quality management;
- an open space network comprising 118 hectares in total which provides for public recreation, stormwater management and a wildlife corridor, and clubhouse and community facilities;
- an 8 hectare tourist/recreational precinct (including a conference centre and accommodation) in the north east portion of the site and a foreshore park of 7.6 hectares;

- substantial areas (approximately 27 hectares) of the Residential 2(f) zoned land are proposed to be protected and enhanced as open space / wildlife movement corridors, over and above those already protected within the Environmental Protection 7(a) and 7(b) zones (which comprise 24 and 21 hectares respectively);
- approximately 35 hectares of drainage reserves and large parks are also proposed;
- upgrading of intersections and associated road works and other construction works (such as cycleways) external to the site;
- access from Toonang Drive and Myall Street;
- an internal road network; and
- associated landscaping and infrastructure works.

A Concept Plan is provided in *Figure 2*.

Project Approval

Project approval is sought for Stages 1, 2, 3, 4, 5, 6, 7, 8 and 9 and relates to part of Lot 38 DP 270100, Lot 30 DP 270100, Lot 19 DP 270100 and Lot 1 DP 270100. A Staging Plan is provided in *Figure 3*. The stages are grouped into three precincts as follows:

- Precinct 1 comprises Stages 1 and 2;
- Precinct 2 comprises Stages 3, 5, 6, 7, 8 and 9; and
- Precinct 3 comprises Stage 4.

The Project Application includes the following:

- the creation of residential lots as follows:

Size of Lots (square metres)	Number of Lots	Number of Dwellings
Multi dwelling lots	26	61
350 - 449	17	17
450 - 549	70	74
550 - 649	160	150
650 +	75	79
Total	348*	381
* Includes 95 home based business lots		

- an extension of the existing town centre on the north side of Shoreline Drive, to accommodate a range of uses including additional retail and commercial uses, a child care and a motel (approximately 4 hectares);
- water sensitive urban design (WSUD) measures including a two hectare extension of the existing detention lake, the creation of three new freshwater detention ponds and numerous additional basins surrounded by parklands and open space and widening of the existing drainage channel between the detention lake and the Myall River to facilitate water quality management to cater for drainage from the proposed development;
- construction of a new connection to Myall Street for vehicle access;
- construction of internal roads and cycleways;
- construction of a community clubhouse and associated tennis courts, active and passive open spaces, pool and BBQ facilities;
- the provision of buffer (21 hectares) to the wetlands (zoned *7(b) Conservation*);
- the retention of 24 hectares of wetlands zoned *7(a) Wetlands and Littoral Rainforest*; and
- associated landscaping and infrastructure works.

The subdivision will be created under Community Title, as part of the existing approved Community Title development.

CIV and Expected Employment

The estimated capital investment value (CIV) of the development is as follows:

Concept Plan: \$73 million

Project Application: \$35 million

The expected employment generated by the development (full time equivalent and excluding construction employment) is ten operational jobs.

3. PLANNING PROVISIONS

Environmental Planning and Assessment Act 1979 (EP&A Act)

Part 3A of the EP&A Act provides for the assessment of development that is defined as a 'major project' as identified in State Environmental Planning Policy (Major Projects). The Riverside at Tea Gardens development is considered to be a 'major project' for the reasons set out below and will be assessed under Part 3A of the EPA Act.

The consistency of the proposed development to the objects of the EP&A Act are detailed below:

- *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting and social and economic welfare of the community and a better environment*

The design and layout of the proposed development was determined through an overlaying process of mapping various opportunities and constraints. The constraints mapping identified conservation areas, specifically the Habitat Conservation Area, the SEPP 14 Wetland and the wildlife corridor which contain significant ecological communities. These areas will be preserved as part of this project. Community Title will apply to the site, ensuring appropriate management of the public areas and facilities for the welfare of the community.

- *the promotion and co-ordination of the orderly and economic use and development of land*

The proposed subdivision will be constructed and released in stages to meet residential growth demands. The design of the subdivision has maximised the use of the land in consideration of the environmental constraints of the site. The provision of residential and commercial developments within the subdivision will ensure residents have access to key services and employment.

- *the protection, provision and coordination of communication and utility services*

Services for the subdivision will be extended off nearby existing services.

- *the provision of land for public purposes*

Open space corridors and community parks proposed throughout the development provide for public use of the land. The open space areas are linked by walkways / cycleways, facilitating movement and access.

- *the provision and coordination of community services and facilities*

Riverside at Tea Gardens is well served by education and medical facilities and has access to public transport and employment areas. The development will enhance existing services and community facilities in Tea Gardens through extensions of the existing commercial centre, the provision for home businesses and provision of a multipurpose community function / meeting facility.

- *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, population and ecological communities and their habitats*

Riverside at Tea Gardens has identified conservation areas, specifically the Habitat Conservation Area and the SEPP 14 Wetland which contain significant ecological communities. The wildlife corridor identified within the north portion of the site will also be managed to conserve the existing biodiversity and provide a link between the natural environments found on site.

- *ecologically sustainable development*

Riverside at Tea Gardens promotes the use of ecologically sustainable development principles by incorporating energy efficient subdivision design, urban design principles incorporating walkable neighbourhoods and linkages between communities, the adoption of a total water cycle management design philosophy, preservation of significant ecological communities and provision of ecological corridors, use of engineering and architectural practices to reduce development impacts, protecting Aboriginal archaeological sites of high archaeological significance, utilising existing service infrastructure and creating opportunities for public transport usage.

- *the provision and maintenance of affordable housing*

Riverside at Tea Gardens will incorporate a number of approaches to encourage the provision of affordable housing, namely the inclusion of at least ten percent of lots less than 450 square metres, encouraging shared use dwellings incorporating home office facilities to create affordable lifestyle opportunities, to allow for alternative dwelling types, such as 'dual key' dwellings where areas of a dwelling can be rented out as self contained units, allowing for an adequate supply of housing in the concept plan, providing a subdivision design that maximises opportunities for an affordable lifestyle through the use of non motorised transport modes and encouraging a rental market.

State Environmental Planning Policy (Major Projects) 2005

State Environmental Planning Policy (SEPP) (Major Projects) defines certain developments that are major projects under Part 3A of the EP&A Act and determined by the Minister for Planning. Schedule 2 identifies specific sites where particular development is classified as a 'Major Project', to which Part 3A of the EP&A Act applies. Clause 1 of Schedule 2 refers to development in coastal areas. Clause 1 states:

'(1) Development within the coastal zone for any of the following purposes:

(j) subdivision for residential purposes of land that is not in the metropolitan coastal zone (unless it is wholly or partly in a sensitive coastal location):

(i) into more than 25 lots, or

(ii) into 25 or fewer lots, if the land proposed to be subdivided and adjoining or neighbouring land in the same ownership as that land could be subdivided into more than 25 lots'

SEPP (Major Projects) defines the metropolitan coastal zone as:

'that part of the coastal zone between the northern boundary of the local government area of Newcastle City and the southern boundary of Shellharbour City.'

As the proposed development includes the subdivision of over 25 allotments and the site is not located within the metropolitan coastal zone, Part 3A of the EP&A Act applies. In accordance with section 75D of the EP&A Act, approval from the Minister for Planning is required for a development which has been declared to be a project under Part 3A of the EP&A Act.

Great Lakes Local Environmental Plan 1996

Great Lakes Local Environmental Plan 1996 (Great Lakes LEP) is the principal local environmental planning instrument governing land use within the Great Lakes local government area (LGA).

The majority of the Riverside at Tea Gardens site is zoned Residential 2(f) – Mixed Residential-Commercial. Part of the site, adjacent to the Myall River, is zoned Environmental Protection 7(a) Wetlands and Littoral Rainforest and 7(b) Conservation. The proposed development is permissible in the 2(f) – Mixed Residential-Commercial zone. Development proposed within the Environmental Protection 7(a) Wetlands and Littoral Rainforest zone is limited to the widening of the existing drainage channel linking the detention lake and the Myall River. Development proposed within the 7(b) Conservation zone is limited to the creation of a foreshore park. The proposed development is permissible within these zones.

Special Provisions

i. Clause 33A - Development at Myall Quays (Riverside at Tea Gardens)

Clause 33A relates to development at Myall Quays (now known as Riverside at Tea Gardens). The objective of Clause 33A is to ensure that appropriate commercial and retail facilities are provided on the site, development occurs that is sensitive to the natural environment and that any water body is maintained under the provisions of a community or neighbourhood scheme.

The proposed Riverside at Tea Gardens development incorporates the expansion of the existing commercial centre to accommodate a range of uses including additional retail and commercial uses, a child care and a motel. The design and layout of Riverside has considered the opportunities and constraints of the site and will incorporate the conservation of the SEPP 14 Wetland, adjacent wetland buffer land and an ecological corridor, all of which contain significant ecological communities. These areas will be preserved as part of this project. Water sensitive urban design (WSUD) measures are to be incorporated into Riverside, including a two hectare extension of the existing detention lake and the creation of three new freshwater detention ponds and numerous additional basins to provide water quality management. The water bodies and surrounding open space areas will be managed under Community Title.

Subclause 33A(2) relates to the impact on adjoining conservation areas and the Myall River of the development of a lake or other water body at Myall Quays. It states that Council must have the concurrence of the Department of Planning before granting consent to such a development, and that the Department must take into consideration the environmental impacts of such a development on the surrounding wetlands, wet heath areas and the Myall River.

Riverside at Tea Gardens will incorporate a two hectare extension of the existing detention lake, the creation of three new freshwater detention ponds, additional basins and the widening of the existing drainage channel linking the detention lake to the Myall River. These water management structures will provide for water management across the site, with the primary aim for the management of water quality being the protection of the SEPP 14 wetland and buffer zone by directing runoff from the catchment to a tidally flushed lake.

Riverside at Tea Gardens will meet the objectives of Clause 33A.

Summary of Planning Provisions

Table 1 provides an overview of relevant planning provisions that apply to the site and details the permissibility and consistency of the Riverside at Tea Gardens development to the prevailing instruments, plans, policies and strategies.

Table 1 Summary of Relevant Planning Provisions

Planning Instrument, Plan, Policy or Strategy	Permissible	Consistent	Comment
<i>Environmental Planning and Assessment Act 1979</i>	Yes	Yes	Riverside at Tea Gardens development is considered to be a 'major project' under State Environmental Planning Policy (Major Projects) and will be assessed under Part 3A of the EP&A Act. The Minister for Planning is the consent authority for the project. The proposed development is consistent with the objects of the EP&A Act as detailed in Section 3 above.
<i>Great Lakes LEP 1996</i>	Yes	Yes	The majority of the Riverside at Tea Gardens site is zoned Residential 2(f) – Mixed Residential-Commercial. Part of the site is also zoned Environmental Protection 7(a) Wetlands and Littoral Rainforest and 7(b) Conservation. Development is limited to the residential 2(f) – Mixed residential-Commercial zone, with the exception of a foreshore park within the 7(b) conservation zone and the widening of the existing drainage channel linking the detention lake to the Myall River within the 7(a) Wetland zone. All proposed development is permissible with consent.
<i>DCP 22 – Myall Quays Estate</i>	Yes	Partly	<p>The Riverside at Tea Gardens development has undergone design changes to meet the requirements of Council's revised draft Housing Strategy. The design has therefore moved away from the intended use envisaged by DCP 22 which included provision for a golf course development. The concept plan and project application generally incorporates the requirements of DCP 22, as amended by the revised draft Housing Strategy into its design.</p> <p>Note: DCP 22 is outdated as it was prepared prior to recent environmental studies and investigations into the capabilities and suitability of the site. The draft Tea Gardens / Hawks Nest Housing Strategy recommends several amendments to this DCP to ensure that it is in accordance with the new release area principles of the Strategy. DCP 22 is proposed to be repealed following the adoption of the Concept Plan for the site.</p>
<i>DCP 30 – Residential – Urban Areas</i>	Yes	Yes	DCP 30 provides design guidelines for high quality urban housing. DCP 30 provides performance criteria that should be considered in the design of residential developments.

Planning Instrument, Plan, Policy or Strategy	Permissible	Consistent	Comment
			The subdivision layout for Stage 1 of Riverside at Tea Gardens will allow for dwellings to be erected that comply with the provisions of DCP 30. The draft Housing Strategy has recommended that DCP 30 be amended to incorporate more detailed urban design and streetscape guidelines based on the character of the area. Architectural design guidelines have been developed for Riverside at Tea Gardens, against which all residential development must comply.
<i>DCP 31 – Subdivision</i>	Yes	Yes	DCP 31 outlines the subdivision requirements in residential, commercial/industrial and rural and environmental zones. The concept plan and project application generally complies with the provisions of the DCP 31.
<i>Stormwater Quality DCP</i>	Yes	Yes	The Stormwater DCP specifies that development will need to reduce the volume of stormwater runoff and pollutants in stormwater that is directly connected to Council's stormwater drainage network. Riverside at Tea Gardens will incorporate water sensitive urban design (WSUD) measures including a two hectare extension of the existing detention lake and the creation of three new freshwater detention ponds and numerous additional basins surrounded by parklands to facilitate water quality management.
<i>Car Parking Policy</i>	Yes	Yes	The Car Parking Policy outlines the amount of car parking required for various types of development. Lots proposed in the Riverside at Tea Gardens development are of sufficient size to accommodate a dwelling and on site car parking space.
<i>Tea Gardens Hawks Nest Conservation & Development Strategy</i>	Yes	Yes	The Tea Gardens / Hawks Nest Conservation and Development Strategy was produced in response to the increasing demand for development in the area and identifies areas that are suitable for development and areas that should be conserved for ecological purposes. The Riverside at Tea Gardens site is not identified in the strategy as a potential future residential area, due to the fact that the site is already zoned 2(f) and can be developed for urban purposes. The strategy does identify the Myall Quays (Riverside at Tea Gardens) site on its precinct map and provides brief comments including that the site was rezoned in 2000, and is suitable for low and medium density residential development, tourism, shopping,

Planning Instrument, Plan, Policy or Strategy	Permissible	Consistent	Comment
			community and recreational facilities.
<i>Revised draft Tea Gardens Hawks Nest Housing Strategy</i>	Yes	Yes	<p>The revised draft Tea Gardens/Hawks Nest Housing Strategy was prepared to ensure that future housing demands could be met, and identifies issues specifically associated with dwelling types, dwelling densities and lot yields. The density recommendations of the revised draft Housing Strategy support an average of 13 dwellings per hectare net for greenfield sites. The proposed concept plan for Riverside at Tea Gardens is based on dwelling densities in the order of 13 dwellings per hectare net. The stage 1 project application also achieves an average density of 13 dwellings per hectare.</p> <p>The draft Housing Strategy makes several other recommendations with respect to LEP amendments, DCP amendments and affordable housing. Generally the draft Strategy supports mixed density neighbourhoods (rather than segregated areas of lower and higher density). The project application is proposing a mixed density residential subdivision and is consistent with the principles of the revised draft Housing Strategy.</p>
<i>Recovery Plan for the Hawks Nest & Tea Gardens Endangered Koala Population</i>	Yes	Yes	<p>The Recovery Plan for the Hawks Nest and Tea Gardens Endangered Koala (<i>Phascolarctos Cinereus</i>) Population encourages the conservation of koala habitat and for identified areas of koala habitat to be incorporated into local planning instruments. No Koalas or signs of usage of the site by the Koala were observed within the site during surveys. However, due to the local occurrence of the Koala, a Koala Habitat Management report has been prepared in accordance with guidelines within SEPP 44 Koala Habitat Protection to provide contingency for the occurrence of the Koala within the local area.</p>
<i>Hunter REP 1989</i>	Yes	Yes	<p>The concept plan for Riverside at Tea Gardens shows the site ultimately being developed for a range of uses including residential, commercial and tourist development. The project is consistent with the aims, objectives and relevant clauses of the HREP. The potential environmental impacts of the proposal will be minimised, particularly with respect to implementing strategies concerning water quality and soil erosion management.</p>

Planning Instrument, Plan, Policy or Strategy	Permissible	Consistent	Comment
<i>Draft Mid North Coast Regional Strategy</i>	Yes	Yes	The concept plan and project application meets the aims of the Mid North Coast Regional Strategy and the adopts the planning principles through its creation of a greenfield development with a range of lot sizes to accommodate different housing types that are linked by an open space network that retains wildlife corridors and buffers to the wetlands. The residential lots also provide for home based business which allows people to work at home, thereby reducing the need to travel and providing employment diversity in the Tea Gardens - Hawks Nest area.
<i>SEPP (Major Projects)</i>	Yes	Yes	The concept plan for the proposed development provides for 1045 dwellings lots and the project plan creates 348 lots in the coastal area, and therefore Part 3A of the EP&A Act applies.
<i>SEPP 14 – Coastal Wetlands</i>	Yes	Yes	The site contains an area of wetland mapped under State Environmental Planning Policy No. 14 Coastal Wetlands and known as Wetland No. 746. This area will be retained as part of the proposed development. The SEPP 14 Wetland will be buffered by the retention of vegetation communities between the wetland boundary and the development edge.
<i>SEPP 44 – Koala Habitat Protection</i>	Yes	Yes	An assessment has determined that areas of the site contained Potential Koala Habitat according to the criteria of SEPP 44. No Koalas or signs of usage of the site by the Koala were observed within the site during surveys. It is considered that the subject site does not constitute Core Koala Habitat. Due to the local occurrence of the Koala, a report on Koala Habitat Management has been prepared in accordance with the guidelines within SEPP 44 to make contingency for the occurrence of the Koala within the local area and potential for future use of the site by this species.
<i>SEPP 50 – Canal Estate Development</i>	Yes	Yes	SEPP 50 prohibits canal estate development as defined in the Policy. The proposed extension of the existing detention lake would not represent a canal estate development within the meaning of clause 3 of SEPP 50. The development of Riverside at Tea Gardens will include an extension of the existing detention lake by two hectares and inclusion of three (3) separate freshwater detention ponds to cater for water quality management. The design of the water treatment system has been sized to the minimal reasonable size and capacity to meet drainage needs and drainage will not flow directly to a natural waterway

Planning Instrument, Plan, Policy or Strategy	Permissible	Consistent	Comment
			or natural water body. The proposed development is in accordance with the requirements of SEPP 50.
<i>SEPP 71 – Coastal Protection</i>	Yes	Yes	SEPP 71 aims to ensure that development in the NSW coastal zone is appropriate and suitably located and that there is a consistent and strategic approach to coastal planning and management. The Riverside at Tea Gardens development is permissible with consent within the existing Residential 2(f) zone. Riverside at Tea Gardens does not involve the construction of buildings within 100 metres below mean high water mark. The proposed development will not affect public access to the foreshore and will ensure the conservation of the SEPP 14 wetland, adjacent buffer and a wildlife corridor. There is no existing right of access over the site. Effluent is to be disposed of by way of a reticulated system and untreated stormwater will not be discharged to the Myall River. The proposed development is consistent with the aims and matters for consideration of SEPP 71.
<i>NSW Coastal Policy 1997</i>	Yes	Yes	The NSW Coastal Policy discourages the development of land with high conservation value or other constraints where development would not be consistent with the aims of the policy. The design and layout of Riverside at Tea Gardens has considered the various opportunities and constraints of the site, including the conservation of the SEPP 14 Wetland and adjacent buffer as well as sites of aboriginal significance. The development has been designed in accordance with the principles of ecological sustainable development. The proposed development is consistent with the aims of the policy.
<i>Coastal Design Guidelines for NSW</i>	Yes	Yes	The guidelines provide a framework for discussion and decision making involving coastal planning, design and development proposals between all stakeholders in the context of caring for the natural beauty and amenity of coastal beaches, headlands, waterways and ecologies upstream. The concept plan incorporates these principles into its design.

4. CONCLUSION

It is requested that the Department provide confirmation that the proposed development of Riverside at Tea Gardens for residential and tourist development would be considered to be a major project under Clause 6 of the Major Projects State Environmental Planning Policy and that the Minister would be prepared to accept an application under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). If accepted, then the issue of Director General's Requirements would be appreciated.

If you require any further information please contact Steve O'Connor from ERM on 49642150.

Yours faithfully,
for Environmental Resources Management Australia Pty Ltd

A handwritten signature in black ink, appearing to read 'S. O'Connor', written in a cursive style.

Steve O'Connor
Principal Consultant

APPENDICES

Appendix A

PART 3A PROJECT APPLICATION FORM

Major Project application



NSW GOVERNMENT
Department of Planning

Date received: ____/____/____

Project Application No. _____

1. Before you lodge

This form is required to apply for the approval of the Minister to carry out a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

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

A Planning Focus Meeting (PFM) may need to be held for this project involving the Department, relevant agencies, council or other groups identified by the Department. If a PFM is held, the Department will issue the Director-General's requirements for the Environmental Assessment following the meeting.

All applications must be lodged with the Director-General, by courier or mail. An electronic copy should also be emailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, Sydney NSW 2000
GPO Box 39 Sydney NSW 2001
DX 10181 Sydney Stock Exchange
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency

Crighton Properties Pty Ltd

ABN

ACN 000 830 875

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Peter

Family name

Childs

Position

Director of Planning

STREET ADDRESS

Unit/street no.

Suite F,
Level 1

Street name

2 Reliance Drive

Suburb or town

Tuggerah

State

NSW

Postcode

2259

POSTAL ADDRESS (or mark 'as above')

PO Box 3369

Suburb or town

Tuggerah

State

NSW

Postcode

2259

Daytime telephone

02 4352 4352

Fax

02 4352 4343

Mobile

0439 971 666

Email

peter@crighton.com.au

3. Identify the land you propose to develop

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area(s)

State electorate(s)

REAL PROPERTY DESCRIPTION

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

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

OR detailed description of land attached. ☐

MAP: A map of the site and locality should also be submitted with this application.

4. Major Project description and other requirements

Provide a brief title for your project.

Riverside at Tea Gardens. Concept approval is sought for a residential, retail, commercial and tourist development and associated road and open space networks, wildlife corridor, stormwater management infrastructure and community facilities. Project plan approval is sought for residential, retail and commercial development and associated stormwater management infrastructure, open space and road networks, community facilities and conservation areas.

PROJECT APPROVAL

If you are applying for approval of a project, include in the project title, all significant components for which approval is being sought. If the application relates to part only of a project, the project title should reflect this.

Is the application for approval of a project?

☒ Yes ☐ No

Is the application related to part only of a project?

☒ Yes ☐ No

CONCEPT PLAN APPROVAL

If you are applying for approval of a concept plan, include in the project title, all components for which approval 'in concept' is being sought. If the application also relates to approval of a project, a description of this should also be included in the project title.

Is the application for approval of a Concept Plan?

☒ Yes ☐ No

Is a project application being made concurrently for all or part of the project?

☒ Yes ☐ No

You are also required to provide a Project Description and address any matters required by the Director-General in accordance with section 75E or section 75M of the Act. Failure to do so may lead to your application being rejected.

Is a Project Description attached?

☒ Yes ☐ No

Does the Project Description include any additional matters required by the Director-General under section 75E or section 75M of the Act?

☐ Yes ☒ No

Note: An electronic copy of the project description is also required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the project. The CIV includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment (but excluding GST and land costs).

\$73,150,000

EQUIVALENT FULL-TIME JOBS

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

Construction jobs (full-time equivalent)

1350

Operational jobs (full-time equivalent)

10

5. Approvals from State agencies

Does the project require any of the following: (tick all that are appropriate)

- ☐ an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- ☐ a mining lease under the *Mining Act 1992*
- ☐ a production lease under the *Petroleum (Onshore) Act 1991*
- ☐ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- ☒ a consent under section 138 of the *Roads Act 1993*
- ☐ a licence under the *Pipelines Act 1967*

6. Landowner's consent or notification

As the owner(s) of the above property, I/we consent to this application being made on our behalf by the proponent:

Land

Signature



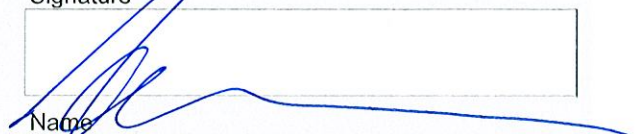
Name

GEOFFREY JOHN COX

Date

Land

Signature



Name

ANDREW DOUGLAS COX

Date

Note: Under clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require the consent of the landowner, however, the proponent is required to give notice of the application:

- in the case of linear infrastructure projects, by notice in a newspaper circulating in the locality prior to the commencement of the public consultation period,
- in the case of mining or petroleum production projects, by notice in a newspaper circulating in the locality within 14 days of this application being made,
- in the case of critical infrastructure projects, to the owner of the land within 14 days of this application being made, and
- in other cases, to the owner of the land at any time before the application is made.

7. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the project and address all matters required by the Director-General pursuant to section 75E and/or section 75M of the Act, and
- apply, subject to satisfying clause 8D of the Environmental Planning and Assessment Regulation, for the Director-General's environmental assessment requirements pursuant to Part 3A of the Act, and
- declare that all information contained within this application is accurate at the time of signing.

Signature



Name

PETER CHILDS.

Date

18-4-08

In what capacity are you signing if you are not the proponent

Name, if you are not the proponent

Our Ref: tj

Wednesday, 30 April 2008

Deposited Plan **270100**
Admiralty Avenue
Tea Gardens

Dear Sir or Madame

LETTER OF AUTHORITY

To Whom It May Concern

As Owners of Lot 1, DP270100, over part of which Crighton Properties proposes to lodge an application to the Department of Planning for approval under Part 3A of the Act., we hereby give consent to the lodgement of a Part 3A Concept Plan and/or Project Application by Crighton Properties Pty. Limited, to the NSW Department of Planning, for approval, over Association owned property.

We understand that part of the subject of this application involves seeking approval from the Department of Planning for Drainage and Access across our land. Approval has also been given for the establishment of Drainage and Access Easements to allow the above referred drainage and access to occur as per the attached Minutes of Special General Meeting of the Community Association – DP270100 held on 27th February 2008.

Yours faithfully
Monteath Strata Management Pty Ltd



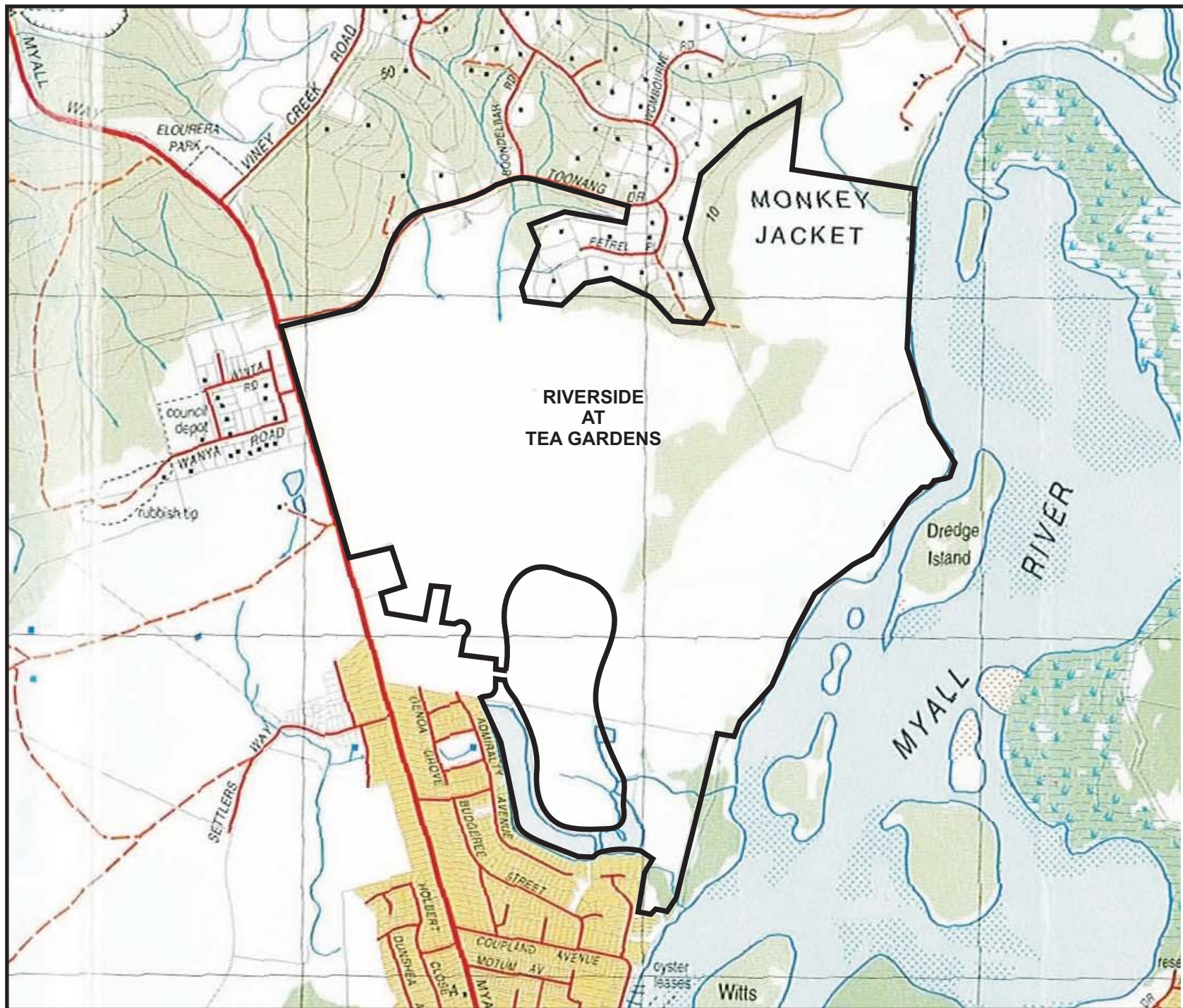
Tony Jones
Strata Business Manager

Encl.



Appendix B

FIGURES



Legend

- Riverside at Tea Gardens
- Site Boundary

Figure 1

Locality Plan

Client:	Crighton Properties Pty Ltd		
Project:	Environmental Assessment Riverside at Tea Gardens		
Drawing No:	0043707hv_EA_river_Clause 6_01		
Date:	18/06/08	Drawing size:	A4
Drawn by:	JD	Reviewed by:	SO'C
Source:	1:25,000 Topo Series Port Stephens Sheet		
Scale:	Refer to Scale Bar		



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Item	Description
1	Extent of concept plan area 'Riverside' at Tea Gardens.
2	Existing 7(a) wetland zone.
3	Existing 7(b) buffer zone.
4	Wildlife movement corridor.
5	Water management & open space corridors.
6	Community parks incorporating walking/cycle ways, BBQs, children's play area equipment.
7	Community pocket parks.
8	Myall foreshore park.
9	Extended lake area for water detention & water quality management (2.0 Ha).
10	Existing detention and water quality lake.
11	New fresh water water quality management & detention ponds.
12	Existing residential development.
13	Precinct community facilities.
14	Future precinct community facilities.
15	Site area currently owned by Great Lakes Council.
16	Extension of existing commercial precinct. Waiver received (Dept. of Planning).
17	Low density tourist residential lodgings.
18	Conference & community facilities, associated low rise town house accommodation.
19	Proposed residential lot development to be developed under community title.
20	Future Development Site.
21	Existing House.
22	DCP Buffer.

Legend

Riverside at Tea Gardens Site Boundary

Figure 2
Concept Plan

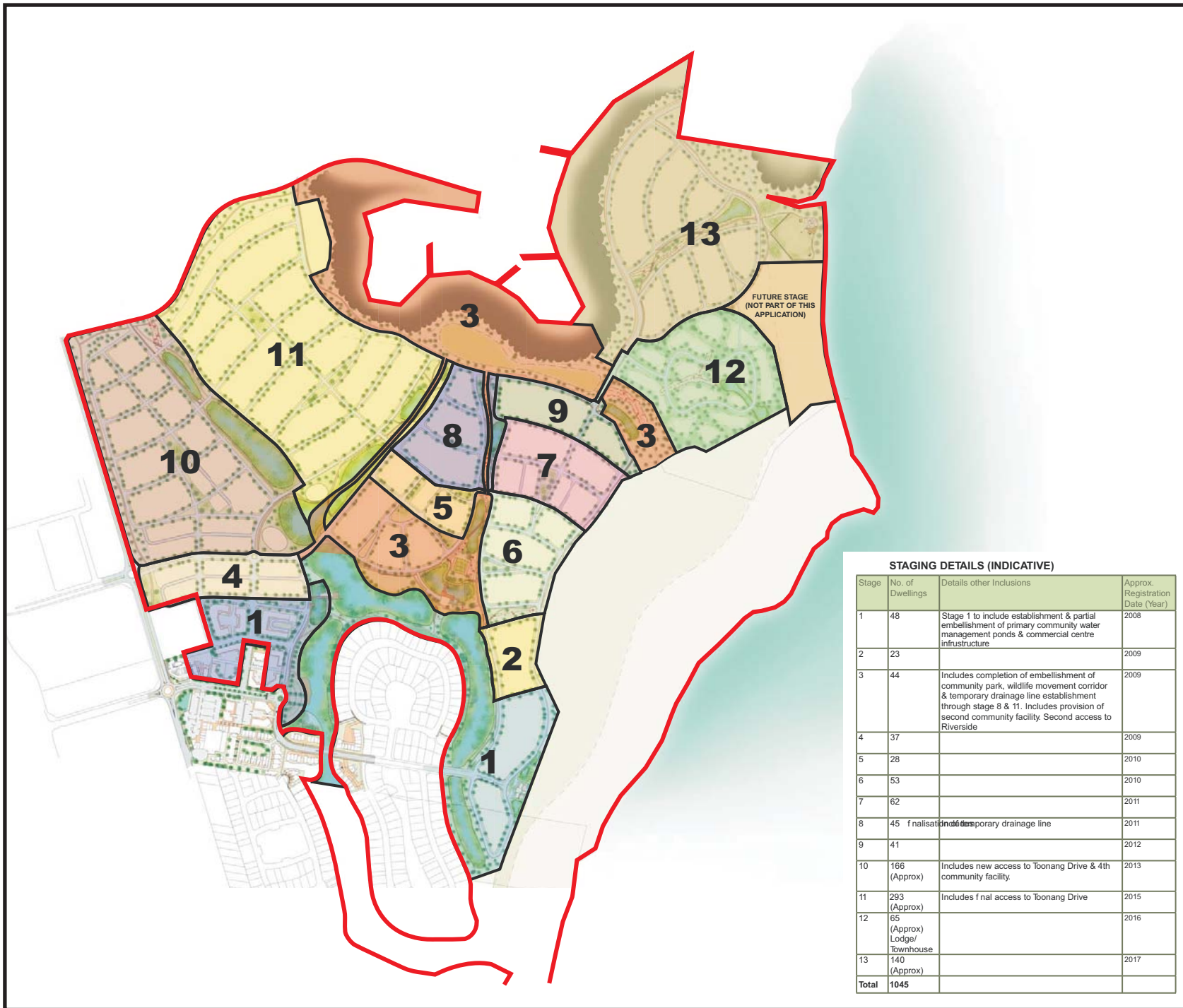
Client: Crighton Properties Pty Ltd
 Project: Environmental Assessment Riverside at Tea Gardens
 Drawing No: 0043707hv_EA_river_Clause 6_02
 Date: 19/06/08 Drawing size: A4
 Drawn by: JD Reviewed by: AA
 Source: Crighton Properties Pty Ltd RC-03
 Scale: Refer to Scale Bar



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Land Use Legend		
Total Site	Ha	%
Open Space		
- Wetlands (zoned 7a)	28.4	12.4
- Buffer Zones (zoned 7b)	20.6	9.0
- Additional Conservation Buffer	1.4	0.6
- Wildlife Corridors	27.3	11.9
- Myall Foreshore Park (including parking)	7.6	3.3
- Drainage Corridors, Ponds & Large Parks	35.1	15.4
- Pocket Parks	2.6	1.1
- Existing detention & water quality lake	6.7	2.9
Total	129.7 Ha	56.6%
Built Upon Area		
- Residential (including roads & community facilities)	83.6	36.5
- Tourist/Residential (Lodgings)	8.4	3.7
- Future Development Site	3.0	1.3
- Commercial/Retail	4.3	1.9
Total	99.3 Ha	43.4%
Total	229.0 Ha	100%





Legend

- Riverside at Tea Gardens Site Boundary

Figure 3

Project Application Staging Plan

STAGING DETAILS (INDICATIVE)

Stage	No. of Dwellings	Details other Inclusions	Approx. Registration Date (Year)
1	48	Stage 1 to include establishment & partial embellishment of primary community water management ponds & commercial centre infrastructure	2008
2	23		2009
3	44	Includes completion of embellishment of community park, wildlife movement corridor & temporary drainage line establishment through stage 8 & 11. Includes provision of second community facility. Second access to Riverside	2009
4	37		2009
5	28		2010
6	53		2010
7	62		2011
8	45	Includes finalisation of temporary drainage line	2011
9	41		2012
10	166 (Approx)	Includes new access to Toonang Drive & 4th community facility.	2013
11	293 (Approx)	Includes final access to Toonang Drive	2015
12	65 (Approx) Lodge/ Townhouse		2016
13	140 (Approx)		2017
Total	1045		

Client: Crighton Properties Pty Ltd

Project: Environmental Assessment Riverside at Tea Gardens

Drawing No: 0043707hv_EA_river_Clause 6_03

Date: 19/06/08 Drawing size: A4

Drawn by: JD Reviewed by: SO'C

Source: Crighton Properties Pty Ltd RC-08

Scale: Refer to Scale Bar



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