

Appendix A

DRAFT STATEMENT OF COMMITMENTS

DEFINITIONS

In this statement the following definitions apply:

Act means the Environmental Planning and Assessment Act, 1979 (as amended).

BCA means the Building Code of Australia.

Catherine Hill Bay/Gwandalan Concept Plan 2007 means the project described in Condition A1.

Concept Plan Area means the land shown in Figure 1.1.1 of the Catherine Hill Bay/Gwandalan Concept Plan 2007.

Department means the Department of Planning or its successors.

Director General means the Director General of the Department of Planning

Minister means the Minister for Planning.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A of the Act applies.

Proponent means the person proposing the carrying out of development comprising all or any part of the project, and includes persons certified by the Minister to be the proponent.

Regulations means the Environmental Planning and Assessment Regulations, 2000 (as amended).

RTA means the Roads and Traffic Authority.

Subject Site has the same meaning as the land identified in Part A of this schedule.

CATHERINE HILL BAY/GWANDALAN CONCEPT PLAN

ADMINISTRATIVE CONDITIONS

A1. Development Description

The development will be carried out in accordance with the Concept Plan and Environmental Assessment report except where amended by this Statement of Commitments.

Responsibility - Proponent

A2. Inconsistency Between Documentation

The proponent will rectify all inconsistencies between the plans and documentation set out at Condition A1, within three months of the determination date of the Catherine Hill Bay/Gwandalan Concept Plan to the satisfaction of the Department.

In the event of any outstanding inconsistency between conditions of this concept approval and the plans and documentation referred to above, the conditions of this concept approval prevail.

Responsibility - Proponent

A3. Determination of Subsequent Project Applications

The determination of subsequent applications for project approval is to be generally consistent with the terms of approval of the Catherine Hill Bay/Gwandalan Concept Plan.

Responsibility – Proponent and Department of Planning

GENERAL

B1. Development Control

Any departure from the terms of approval of Catherine Hill Bay/Gwandalan Concept Plan will require lodgement of further detailed plans and documentation to the Department addressing, and where required revising, development envelopes, the internal circulation network (within the Concept Plan area), and any other aspect of the proposal that requires amending.

The timing, format and content of further detailed plans and documentation to be lodged in respect of Condition B1 will be agreed by the Department.

Responsibility – Proponent and Department of Planning

B2. Dedications

A plan of subdivision providing for dedication of the environmental offset lands will be prepared to enable transfer of the land to the public estate after the Concept Plan has been approved.

Areas to be dedicated as public roads will be constructed and embellished in accordance with the landscape principles outlined in the Concept Plan.

Responsibility – Proponent

B3. Bushfire Management

Bushfire hazard will be managed consistent with Planning for Bushfire Protection Guidelines by:

- Perimeter roads and fire trails.
- Installation of hydrants as appropriate APZ's implemented as required.

Asset Protection Zones managed as follows:

- On Torrens Title subdivision lots by incorporating the APZ into the individual lots with positive covenants applying management requirements;
- In community title subdivision by making the APZ's community or precinct land with management requirements specified in the community or precinct management statements.

Responsibility – Proponent and Occupants

B4. Land Contamination Investigation

To ensure the site is suitable for residential purposes additional assessment will be carried out as necessary. Site audits will be carried out as necessary to certify the suitability of the site for the proposed uses.

Responsibility – Proponent

B5. Mining Activities

The proponent will negotiate with the holders of Petroleum Exploration Licence No.s 5 and 446 to allow exploration prior to construction works.

Responsibility – Proponent

B6. Construction Management

Prior to commencement of works on the site the proponent will submit a Construction Management Plan, to the satisfaction of the Department. The Construction Management Plan shall address the following (at a minimum):

- Traffic management
- Noise and vibration management
- Dust control
- Construction waste management
- Erosion and sediment control
- Archival recording of heritage
- Hazardous materials removal

Responsibility – Proponent

B7. Waste Management Plan

Prior to commencement of works on the site the proponent will submit a waste management plan, to the satisfaction of the department.

Responsibility – Proponent

B8. Landscape and Public Domain Management

Future applications for project approval will be consistent with the Catherine Hill Bay/Gwandalan Landscape principles detailed in the Concept Plan. Detailed landscape plans are to be submitted with Project Applications.

Responsibility – Proponent and Department of Planning

B9. Community Consultation

A detailed programme for future community consultation will be formalised by the proponent and agreed by the Department, within three months after the determination date of the Catherine Hill Bay/Gwandalan Concept Plan to the satisfaction of the Department.

Responsibility – Proponent

B10. Utilities

Utilities will be provided as follows:

- Provision of water and sewer services by Hunter Water;
- Collection of stormwater for open space irrigation and third pipe system to individual dwellings.
- Carefully managed and treated stormwater discharges.

Responsibility – Proponent and Hunter Water

B11. Traffic Management

- Contribution to be made for upgrading intersection of Montefiore Street and Pacific Highway;
- Intersection of Hale Street and Flowers Drive to be re-designed to create an entry statement as well as creating a greater amenity to the existing corner property.
- The majority of Montefiore Street will be dedicated to the public.

Responsibility – Proponent and RTA

B12. Community and Other Facilities

- Clifftop reserve and walkway to be dedicated to the public;
- Moonee Beach access and carpark to be constructed if appropriate approval given by the future owners of the land.
- Existing Park to be landscaped and dedicated to the public.
- Community facilities and retail/commercial space will be provided as part of the proposal.

Responsibility – Proponent

B13. Heritage

In the event of that future project approval is granted to demolish buildings on the subject site, the impacts will be mitigated by the following procedures:

- The important historic, social and cultural significance of on site heritage items to be commemorated through a professionally written history of the subject site;
- Archival photographic recordings to be made of the significant buildings, the Catherine Hill Bay/Gwandalan site and the landscape elements on the Catherine Hill Bay/Gwandalan site, in accordance with NSW Heritage Council's guidelines.

Responsibility – Proponent

B14. State Environmental Planning Policy Building Sustainability Index (BASIX)

The proponent will comply with the NSW Government Building Sustainability Index targeting 40% reduction for potable water consumption, 40% reduction for greenhouse gas emissions and improvement in the thermal performance of all new residential buildings.

An Energy Savings Action Plan will be prepared in accordance with the requirements of the DWE and the Guidelines for Energy Savings Action Plans, DEUS 2005.

Responsibility – Proponent

B15. Submission of Subsequent Applications

The proponent will submit subsequent project applications for the development of the subject site in accordance with the conditions of approval to the Catherine Hill Bay/Gwandalan Concept Plan.

The proponent will submit further documentation for the subsequent Project Applications which will include (but not be limited to):

- Detailed landscape survey and design
- BASIX compliance
- Waste Management Plan
- Construction Management Plans
- Environmental Management Plans
- Compliance with the utility authorities' standards and reticulation requirements, and approval/permit processes.

Responsibility – Proponent

B16. Developer Contributions

The following Developer contributions are required towards the provision of public amenities and services as detailed in Appendix A:

| | Catherine Hill Bay | Gwandalan |
|-----------------------------|---------------------------|------------------|
| Cash | \$2,301,000 | \$2,206,154 |
| In Kind | \$5,000,000 | \$0 |
| Land | 245.4ha | 80ha |
| Cash Per Dwelling | \$3835 | \$10,309 |
| In Kind Per Dwelling | \$8333 | \$0 |
| Land Per Dwelling | 4090sqm | 3721sqm |

Timing of Payments

In kind works will be provided with the release of the relevant precinct other than:

| | |
|------------------------------------|--|
| Coastal walk | with first phase of development |
| Village Park (5.2ha) | with first phase of development |
| Tennis courts and community centre | with development of Hamlet 2 |
| Dedication of conservation areas | with approval of Concept Plan and rezoning |

Cash payments to be provided on a per dwelling rate of \$3,835 for Catherine Hill Bay and \$10,309 for Gwandalan excluding headworks charges. Catherine Hill Bay payments will be made prior to an Occupation Certificate for each dwelling. Gwandalan payments will be made prior to Subdivision Certificate being issued.

Responsibility – Proponent

APPENDIX A

Catherine Hill Bay / Gwandalan Developer Contributions Plan

Explanatory Note

The schedules that follow outline the developer contributions that are proposed to apply to the Catherine Hill Bay/Gwandalan Concept Plan. These schedules replace Section 94 contributions and provide for regional infrastructure.

In the absence of a S94 contributions plan specifically for the site, the contributions for Catherine Hill Bay are based on the Lake Macquarie City Council 2004 S94 plan for North Wallarah. Although this plan provides for facilities that will be fully funded by the North Wallarah Development, the same cost per dwelling total is applied to the Catherine Hill Bay site. The North Wallarah Plan was chosen because it is the most expensive applicable plan when compared to the Lake Macquarie 2004 City Wide S94 plan and the Wyong Council 2007 Munmorah S94 Plan.

The contributions for Gwandalan are based on the Gwandalan Section 94 Plan and the 2007 Shire Wide Infrastructure Services and Facilities Plan. Again, the per dwelling rate is carried forward rather than reducing rates to account for the greater number of dwellings available to finance facilities in the area. The only exception relates to open space embellishment for which the entire cost is provided for.

The contributions plans provide for \$2.2 million of cash for the 214 dwellings at Gwandalan and \$7.3 million of cash and in kind works for Catherine Hill Bay. All amounts exclude utility headworks charges which will be paid separately.

\$3 million of this total is provided as a regional infrastructure contribution. This money is to be paid to the State Government to finance the intersection works required at Catherine Hill Bay and to provide public transport enhancements for both sites through the Department of Transport.

Catherine Hill Bay Developer Contributions Plan

| Public Purpose Items | Rate in Lake Macquarie S94 Plan for North Wallarah | Cost @ 600 Dwellings and 1500 people (occupancy 2.5) | On site provision | Total proposed agreement |
|--|--|--|---|---|
| Open Space | | | | |
| a. Local Recreation Facilities | \$1,809pp | \$2,713,500 | 2.9ha (village greens and recreational areas) Value: \$2,500,000 | 2.9ha (worth \$2,500,000) |
| b. City Wide Recreation Facilities | \$47pp | \$70,500 | Included in community facilities and open space | |
| c. Open Space Acquisition | 22.7sqm pp | 3.4 ha | 5.2ha (Village Park) PLUS 7.3ha (Green Corridors within development envelope) Value: \$10,000,000 | 12.5ha (worth \$10,000,000) |
| Community Facilities | | | | |
| a. Contribution | \$730pp | \$1,095,000 | Coastal walkway 6 Playgrounds 2 Tennis Courts 1 Community Hall 1 Playing field Kiosk on council land adjacent to surf club** | \$4,000,000 In kind |
| b. Land | 1.13sqm (or \$45) pp | 1,695sqm | (embellishment value only, land included above within 2.9ha of open space) | |
| Roads and Traffic Management and cycleways | \$242pp | \$363,000 | Dedication Montefiore St, Cycleways provided Intersection provision in Regional Contribution | \$1,000,000 in kind |
| Wildlife Habitat | 46.46spm pp(6.97ha) | 7ha | 310ha to be provided in total 230ha for Catherine Hill Bay | 230ha |
| S94 Management | \$150 per lot | \$90,000 | | \$90,000 (cash) |
| Regional Infrastructure contribution | 0 | 0 | \$3,685 per dwelling | \$2,211,000 (cash) |
| TOTAL | | \$4,332,000 plus 10.5ha | | \$7,298,600 cash and in kind plus 245.4ha |

*Used as a guide because the rates are higher per dwelling than those for the Wyong Lake Munmorah Contributions Plan (November 2006) which requires \$5,509 per dwelling unit (2001 prices) for community facilities and open space and than those in the Lake Macquarie City Wide Plan.

**If required by Council

NB All open space to be managed by community

Gwandalan Developer Contributions Plan

| Public Items | Purpose | Rate in Wyong S94 Plan for Gwandalan (Nov 2006) | Cost @ 214 Dwellings | On site provision | Total proposed agreement |
|--|---------|--|----------------------|--|--|
| Open Space | | There is an excess of open space in the area however, \$66,800 of embellishment works are identified | \$66,800 | 0 | \$66,800 * |
| Community Facilities | | \$2,512 per dwelling | \$537,568 | 0 | \$537,568 |
| Roads and Traffic Management and cycleways | | \$2,688 per dwelling | \$575,232 | 0 | \$575,232 |
| Wildlife Habitat | | 0 | 0 | 310ha to be provided 80ha accruing to Gwandalan | 80ha |
| S94 Management | | 0 | 0 | 0 | 0 |
| Infrastructure and Services | | 1,111.98 per dwelling* | \$237,964 | 0 | \$237,964 |
| Regional Infrastructure Contribution | | 0 | 0 | \$3,685 per dwelling | \$788,590 |
| TOTAL | | | \$1,417,564 | | \$2,206,154 cash Plus 80 ha |

NB: Works identified in Plan do not recognise the 214 dwellings to be added. It is therefore likely that the costs apportioned by the study will be lower per DU as there are more DU available. The calculations here ignore that to allow for any additional works required.

*On site lateral park and APZ not included as open space is not their primary function.

**Taken from Wyong Shire Council July 2007 City Wide Infrastructure and Services and facilities S94 Plan

Appendix B

DIRECTOR GENERALS REQUIREMENTS



NSW GOVERNMENT
Department of Planning

Facsimile

| | | | |
|-------------|---------------------------------------|---------------------------------------|--|
| To | Bob Rose Rosegroup Pty Ltd | Fax | (02) 8302 1407 |
| | | Phone | (02) 8302 1444 |
| From | Liz Peterson Strategic Assessments | Fax | (02) 9228 6224 |
| | | Phone | (02) 9228 6407 |
| | Strategic Sites and Urban Renewals | Email | elizabeth.peterson@planning.nsw.gov.au |
| Date | 2 August, 2007 | Total pages (incl cover sheet) | 8 |

Subject: Director Generals Requirements - Catherine Hill Bay/ Gwandalan

Mr Rose,

Please find attached the covering letter and Director General's Requirements for the Concept Plan and four project applications for your proposed development at Catherine Hill Bay and Gwandalan.

Regards

Liz Peterson

OSDAA, 23-33 Bridge Street, Sydney NSW 2000 OR GPO Box 3927 Sydney NSW 2001

This message is intended for the addressee named and may contain confidential/privileged information. If you are not the intended recipient, please destroy it and notify sender. Views expressed in this message are of the individual sender, and are not necessarily the views of the NSW Department of Planning.



NSW GOVERNMENT
Department of Planning

Office of the Director General

Contact: Stephanie Ballango
Phone: 02 9228 6101
Fax: 02 9228 6570
Email: stephanie.ballango@planning.nsw.gov.au

Mr Bryan Rose
Managing Director
Rosegroup Pty Ltd
51 Riley St
Woolloomooloo NSW 2011

Our ref: Y07/1866
File Ref: S06/00813

Dear Mr Rose,

Subject: Catherine Hill Bay and Gwandalan – Director General’s Requirements

I refer to your letter and preliminary documentation dated 14 June 2007 requesting the Ministers authorisation to submit a revised concept plan and four individual project applications and the issuing of Director Generals Requirements (DGRs) pursuant to Part 3A project in the *State Environmental Planning Policy (Major Projects) 2005* (Major Projects SEPP) for land at Catherine Hill Bay and Gwandalan.

I can advise that the Minister for Planning made a declaration on 25 June 2007 that the revised concept plan and 4 project applications are subject to Part 3A of the EP&A Act. A notice of the Minister’s declaration was published in the Government Gazette on 6 July 2007.

I have attached a copy of the DGRs for the concept plan and four individual project applications. These requirements have been prepared in consultation with the relevant Government authorities, and are based on the information you provided. Please note that under Section 75F(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), I may alter these requirements at any time.

As you are aware, the Australian Department of Environment and Water Resources (DEWR) has advised that the proposed development at Catherine Hill Bay and Gwandalan is a controlled action under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). As part of the recent bilateral agreement between the NSW Government and the Australian Government, the Department of Planning sought input from DEWR to the preparation of the DGRs under Part 3A of the EP&A Act. DEWR’s comments have been included in the attached DGRs.

Once you lodge the EA for the Concept Plan and four individual project applications they will be the subject of individual tests of adequacy to determine whether the DGRs have been adequately addressed. I may choose to consult with the relevant authorities to determine if they adequately addresses the DGRs. If I consider the EAs to be inadequate, you will be required to revise them prior to public exhibition.

Once the test of adequacy has been undertaken, you will be advised on the consultation and public exhibition arrangements that will apply, including the number of copies (hard copy and CD-ROM) of the EA that will be required for exhibition purposes.

The DGRs will be placed on the Department’s website along with other relevant information which becomes available during the assessment of the project. It would be appreciated if all documents submitted are in a suitable format for the web (such as, PDF) and preferably less than 2Mb but no more than 5Mb. Could you please make arrangements for an electronic version of the individual EAs for the project to be hosted on a suitable website and confirm the proposed URL at your earliest convenience.

Finally, please note that the DGRs require a report from a quantity surveyor identifying the capital investment value for the concept plan and the four individual project applications. This report is to be provided at the time of lodgement so that the fees applicable to the applications (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*) can be determined prior to public exhibition of your documentation. At this time, you should provide your completed application form.

Should you have any enquiries, please contact Stephanie Ballango, Team Leader – Strategic Assessments or Antony Pedroza, Senior Planner – Strategic Assessment on 9228 6545.

Yours sincerely



Sam Haddad
Director General

1/8/07

cc. Matthew Crozier
Crozier CGS Pty Ltd

Director-General's Requirements

Section 75F of the Environmental Planning and Assessment Act 1979

| | |
|--|--|
| Project | Concept approval A residential subdivision of the Gwandalan portion of the site and the following for the Catherine Hill Bay portion of the site: <ul style="list-style-type: none"> ▪ An extension of the existing village and restoration of heritage buildings; ▪ A new coastal village of up to 600 dwellings; ▪ Conservation and public areas comprising approximately 85% of the site; ▪ Commercial/retail component; and ▪ Associated infrastructure. 4 Project applications <ul style="list-style-type: none"> ▪ Site preparation works and subdivision at Gwandalan; ▪ Site preparation works across the entire Catherine Hill Bay / Moonee site along with subdivision of the site into "super lots"; ▪ Subdivision and construction of the Village Centre Precinct; and ▪ Subdivision and construction of Hamlet 3. |
| Location | Catherine Hill Bay (Lots 5, 6 and 7 in DP 774923, Part Lot 2031 in DP841175, Lot 2 in DP8049795, Lot 201 in DP702669, Lot A in DP 384745, Lot B in DP 384745, Lot 2 in DP 809795, Lots 3 and 4 in DP 129431) Gwandalan (Lot 3 in DP 588206). |
| Proponent | Lakeside Living Pty Ltd and Coastal Hamlets Pty Ltd |
| Date issued | 1 August 2007 |
| Expiry date | 1 August 2009 |
| General requirements (to be addressed by concept plan and each project application individually) | Each Environmental Assessment (EA) must include <ol style="list-style-type: none"> (1) an executive summary; (2) a detailed description of the project including the: <ol style="list-style-type: none"> (a) strategic justification for the project; (b) alternatives considered; and (c) various components and stages of the project; (3) a statement that the proposal is being assessed under the Bilateral Agreement, which requires the NSW Government to undertake assessment of the proposal which will address matters of national environmental significance; (4) a consideration of the following with any variations to be justified: <ol style="list-style-type: none"> (a) all relevant State Environmental Planning Policies (with particular regard to Major Projects SEPP, SEPP 55, SEPP 71 and <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>, (b) applicable planning instruments, (c) relevant legislation and policies, including the <i>NSW Coastal Policy 1997</i>, <i>Lower Hunter Regional Strategy</i>, and the draft <i>Central Coast Regional Strategy</i>, (d) <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> (5) a consideration of the proposal and cumulative impacts in relation to the development of other future urban land identified in the <i>Lower Hunter Regional Strategy</i>; (6) a draft Statement of Commitments, outlining commitments to the project's management, provision / contribution towards infrastructure, mitigation and monitoring measures with a clear identification of who is responsible for these measures; |

| | |
|--|--|
| | <p>(7) a conclusion justifying the project, taking into consideration the environmental and construction impacts of the proposal, mitigation measures to address these impacts, the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest;</p> <p>(8) following consultation with relevant agencies, Councils and other proponents who are proposing development in the vicinity of the site:</p> <p>(a) identify the development contributions or works in kind applicable to the site or within the LGA including regional and local infrastructure, public transport, social infrastructure and community facilities (including open space); and</p> <p>(b) identify any public benefits to be provided by the development and their consistency with any current development contribution plans;</p> <p>(9) A signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading; and</p> <p>(10) A report from a quantity surveyor identifying the capital investment value for the concept plan and the four individual project applications.</p> |
| <p>Key Issues (to be addressed by concept plan and each project application individually)</p> | <p>Each EA must address the following key issues:</p> <p>Independent Panel of Experts Demonstrate that the proposal is consistent with the Interim Report to Minister from the Independent Panel of Experts constituted to assess the proposed development. In the event that there are inconsistencies between the proposal and the recommendations of the Panel's Report, justification for the departure must be provided as well as evidence demonstrating how a better outcome will be achieved.</p> <p>EPBC Act – Controlled action</p> <p>(1) Impacts on species listed under Section 18 and 18A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</p> <p>(2) Impacts on other threatened species, populations or ecological communities, critical habitat (including riparian habitat) and native vegetation generally;</p> <p>(3) Impacts on migratory species listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</p> <p>(4) Impacts on RAMSAR Wetlands;</p> <p>(5) Any relevant State and Commonwealth Government Technical and policy guidelines, including the NSW Department of Planning's <i>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999: Guide to implementation in NSW</i> (May 2007);</p> <p>(6) Proposed offset measures to avoid or mitigate impacts on matters of national environmental significance; and</p> <p>(7) Matters outlined in Schedule 4 of the <i>Environment Protection and Biodiversity Conservation Regulation 2000</i>.</p> <p>Heritage Provide a heritage impact statement in accordance with current NSW Heritage Office guidelines and DECC's <i>Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i> that details the heritage significance of the area and any impacts the development may have upon this significance. The significance is to include an assessment of natural areas, places of Aboriginal, historic or archaeological significance and consider the impact on existing settlements and the iconic elements, such as the Coal Loader Jetty.</p> <p>Flora and Fauna impact Address the impact of the development on threatened species and their habitats having regard to the Threatened Species Assessment Guidelines and recommend offset measures to avoid or mitigate impacts on threatened species and their habitat.</p> <p>Utilities and Infrastructure</p> <p>(1) Prepare a utility and infrastructure servicing report and plan for the Site that</p> |

includes (but is not limited to):

- (a) identifying and assessing the capacity of existing utility and infrastructure servicing the site,
 - (b) identifying that adequate water supply is available for bushfire suppression operations,
 - (c) identifying all necessary augmentation works to service the site and whether these works can sustain this and other development foreshadowed for the Wallarah Peninsula shown in the Lower Hunter Regional Strategy, and
 - (d) demonstrate compliance with the requirements of any public authorities in regard to the connection to, relocation and/or adjustment of services affected by the development proposal.
- (2) Provide appropriate detailed information on the drainage, sewerage and stormwater management measures to be incorporated on Site, including (but not limited to):
- (a) sustainable water measures (such as on site stormwater detention, water sensitive urban design measures, and water recycling);
 - (b) sediment and erosion control measures; and
 - (c) the quality and quantity impacts on surface water, groundwater, the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or a rock platform.

Mining Activities

- (1) Assess the potential for the proposed development and associated conservation offsets to:
- (a) restrict access to and future mining of remnant coal resources at Catherine Hill Bay and particularly below the Gwandalan site; and
 - (b) restrict access for existing petroleum exploration on Petroleum Exploration Licence (PEL) Nos. 5 and 446 and any future exploration; and
 - (c) adversely affect or delay the progress of Lakecoal's Mine Closure Plan for Consolidated Coal Lease (CCL) 706 lodged with Department of Primary Industries.
- (2) Assess the impact of the proposed development on options to retain or demolish and/or on-going maintenance of the coal loading jetty, located on Mining Purpose Lease (MPL) 211.
- (3) Provide a risk analysis examining the impacts of the former mining use of the site, and in the vicinity of the site, has on future development.

Contamination and Geotechnical

- (1) Identify and address contamination and geotechnical issues associated with the works proposed by the project applications. All relevant legislation and guidelines related to contamination and geotechnical issues are to be addressed.
- (2) Provide a geotechnical report that includes details on the classification of soil type generally found within the subject site and demonstrate how the proposal complies with all relevant Australian Standards, including AS2870 (Residential Slabs and Footings).

Urban design and built form

- (1) Provide plans and documentation for the project applications that is of a quality suitable to assess the building typology (including the quantum of floor space). Plans and documentation should be equivalent to the standard ordinarily required for lodgement under Part 4.
- (2) Address Crime Prevention Through Environmental Design principles with consideration given to the relationship to surrounding areas; pedestrian and bicycle movement to, within and through the site; key connections to the existing village and coast.

Ecologically Sustainable Development

Demonstrate how the development will commit to ESD principles in design, construction and ongoing operation phases.

Energy Savings Action Plan

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

Traffic and Transport

Prepare a Traffic Study in accordance with RTA's *Guide Traffic Generating Developments* that includes (but is not limited to) the following:

- (a) Identify all relevant vehicular traffic routes and intersection for access and egress;
- (b) Current traffic counts for all of the above traffic routes and intersections;
- (c) The anticipated vehicular traffic generated from the proposed lots;
- (d) Consideration of the traffic impact on the existing intersections and the capacity of the Pacific Highway to safely and efficiently cater for the additional vehicular traffic generated;
- (e) An analysis of the cumulative traffic and transport impacts of this development on the existing township and taking into consideration other proposed developments; and
- (f) Traffic analysis, using SIDRA or similar traffic model, for the relevant intersections including:
 - (i) Current and traffic growth projects for the life of the project;
 - (ii) 95th percentile back of queue lengths; and
 - (iii) Delays and level of service on all legs.

Bushfire

- (1) Demonstrate compliance with the current version of *Planning for Bush Fire Protection* and AS3959 (Building in Bush Fire Prone Areas). The EA is to identify the ongoing management arrangements of any proposed APZ.
- (2) Identify future management regimes for any areas of hazard remaining within the subject area. This should focus on the level of hazard posed to future development by the land or adjacent land and how the hazard may change as a result of development.

Impacts on Crown land

Identify potential direct and indirect impacts arising from the development on the adjacent Munmorah State Conservation Area and Point Wollstonecraft State Recreation Area.

Site preparation works

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

- (a) a detailed survey showing existing and proposed levels and quantities of fill necessary for site preparation works;
- (b) details on the source of fill including types of materials and their source; and
- (c) details of the quantity and quality of any excess material and arrangements for its disposal.

Subdivision

- (1) Provide proposed plans of subdivision that identify all covenants, easements and notations proposed for each land title and, if relevant, how the subdivision is to be staged.
- (2) Provide detail on the management arrangements for all land to be subdivided, including (but not limited to) titling arrangements; land ownership (particularly future public land); and all proposed covenants and restrictions, including

| | |
|------------------------------|---|
| | <p>those relating to access.</p> <p>(3) Outline the long-term management and maintenance of any areas of open space or conservation (including off-set areas) or both, including the ownership and control, management and maintenance of funding public access revegetation and rehabilitation works and bushfire management.</p> <p>Previous Submissions</p> <p>The EA is to respond to the issues raised in submissions received by the Department following the public exhibition of the Concept Plan between 3 January 2007 and 2 March 2007.</p> |
| Consultation | <p>During the preparation of the EA, you should undertake an appropriate and justified level of consultation with any relevant parties, having regard to previous consultation with the Independent Panel of Experts and the Community Reference Group. Any such consultation prior to exhibition should be documented in the EA. In particular, consultation should be considered with:</p> <p>(1) <i>Agencies and other authorities:</i></p> <ul style="list-style-type: none"> (a) Commonwealth Department of Environment and Water Resources; (b) Lake Macquarie Council; (c) Wyong Shire Council; (d) Hunter Water; (e) Gosford/Wyong Council's Water Authority; (f) Local Aboriginal Land Council; (g) Catchment Management Authority - Hunter – Central Rivers; (h) NSW Department of Water and Energy; (i) NSW Department of Primary Industries; (j) NSW Department of Environment and Climate Change; (k) Heritage Office, Department of Planning; (l) NSW Roads and Traffic Authority; (m) NSW Emergency Service agencies, namely NSW Police Department, the Ambulance Service of NSW, the State Emergency Service, NSW Rural Fire Service, and NSW Fire Brigades; and (n) All utility providers. |
| Deemed Refusal Period | 120 days |

Appendix C

QUANTITY SURVEYORS REPORT



International Association
Brunel – Damit & Chng Partnership

WT Partnership Aust Pty Ltd
Trading as WT Partnership
ACN 006 040 768
ABN 45 997 181 713

WT Partnership International Ltd
Group Offices
China – Europe – Hong Kong
Indonesia – Malaysia – Singapore
United Kingdom – New Zealand

Offices in Australia
Adelaide – Brisbane – Canberra
Hobart – Melbourne – Perth – Sydney

Associates
E C W Chan BSc (QS) AAIQS
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15 August 2007

Rose Pty Ltd
51 Riley Street
WOOLMOOLOO NSW 2011
ATTENTION: NICK JACKMAN

Dear Sir

RE: **CATHERINE HILL BAY AND GWANDALAN DIRECTOR GENERAL'S REQUIREMENTS – CONCEPT PLAN**

We understand that you will be submitting a revised concept plan for the development of Catherine Hill Bay and Gwandalan in accordance with Part 3A of the Environmental Planning Policy – Major Projects 2005 (Major Projects SEPP) for land at Catherine Hill Bay and Gwandalan.

We further understand that in accordance with the Director General's requirements (item 10) that we are required to prepare a report identifying the capital investment value for the concept plan.

We confirm that we have prepared an estimate of capital cost for the proposed concept plan for this proposal and we advise you that the estimated cost at rates current in August 2007 is \$380,000,000 (excluding GST).

We note that the Director General's requirements defines "Capital Investment Value" (CIV) in item 10 and for further clarification we assume that CIV includes the cost of site preparation, site infrastructure services and civil works, building works, head contractors preliminaries, supervision, overheads and margins together with design and consultant fees, project management fees and costs to provide BASIX and ESD principles. The CIV shall however exclude land costs, legal fees, interest and holding costs, sales commissions, marketing costs, council and authority fees and contributions and developer's margin and contingency. We also note that costs are at August 2007 rates and exclude provision for escalation.

We specifically note that the above estimate is based on preliminary and conceptual design information made available to ourselves at this point and therefore we have had to make a number of assumptions in relation to the requirements. The estimates may be subject to change as design develops.

JOHN FERRARIN



df

WT PARTNERSHIP

Yours faithfully

Should you require any further information or wish to discuss any aspect of the attached please do not hesitate to contact us.

15 AUGUST 2007

**CATHERINE HILL BAY AND GWANDALAN
DIRECTOR GENERAL'S REQUIREMENTS – CONCEPT PLAN**



Appendix D

VISUAL ASSESSMENT - CATHERINE HILL BAY AND MOONEE

The Moonee Hamlets, Catherine Hill Bay NSW

Statement of Environmental Effects

VISUAL IMPACT STATEMENT

Prepared for:

Rose Property Group Pty Ltd

Prepared by:

CONTEXT Landscape Design

CM+

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DOCUMENT STATUS

| Revision | Issue | Signature | Date |
|----------|---------------------------------------|-----------|-----------|
| A | Preliminary Issue for Comment - DRAFT | UB | 20 Jul 07 |
| B | Final Draft | UB | 30 Jul 07 |
| C | Project Application | UB | 10 Aug 07 |
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1.0 INTRODUCTION

1.1 Background and Scope

This report describes and summarises the key scenic quality issues that affect the site, and refers to findings and recommendations of the Visual Impact Assessments (VIAs) prepared by Verge Pty Ltd. This report also identifies treatments that will mitigate any potentially adverse visual impacts and suggests methods to enhance the scenic quality of the area and development. Other reports and guidelines that are referenced in this document include;

- Catherine Hill Bay + Gwandalan Concept Plan (December 2006, EJE + Verge), this report excludes Gwandalan.
- Scenic Quality Guidelines (April 2004, LMC2)
- Coastal Design Guidelines for NSW (2003)

1.2 Objectives

The objectives of this report are as follows:

- To identify and describe the existing visual and landscape environment and evaluate its current qualities.
- To determine the likely impacts the development will have on the visual and landscape quality of the area
- To recommend design principles to enhance the visual quality and minimise any potentially adverse impacts related to the proposed development.

1.3 Terminology

The meanings for the following terms listed below will apply to this report:

- Subject site and/or concept plan refer to the development under review covering the former Catherine Hill Bay and Moonee Collieries.
- CHB refers to Catherine Hill Bay.
- Hamlet and village refer to the terms as defined by the Coastal Design Guidelines (2003).

2.0 EXISTING SITE

2.1 Site Context and Location

The site is located approximately 9 kilometres south of Swansea, 25 kilometres north-east of Wyong, 27 kilometres south of Newcastle and 90 kilometres north of Sydney (direct distances) and lies within the local government area of Wyong.

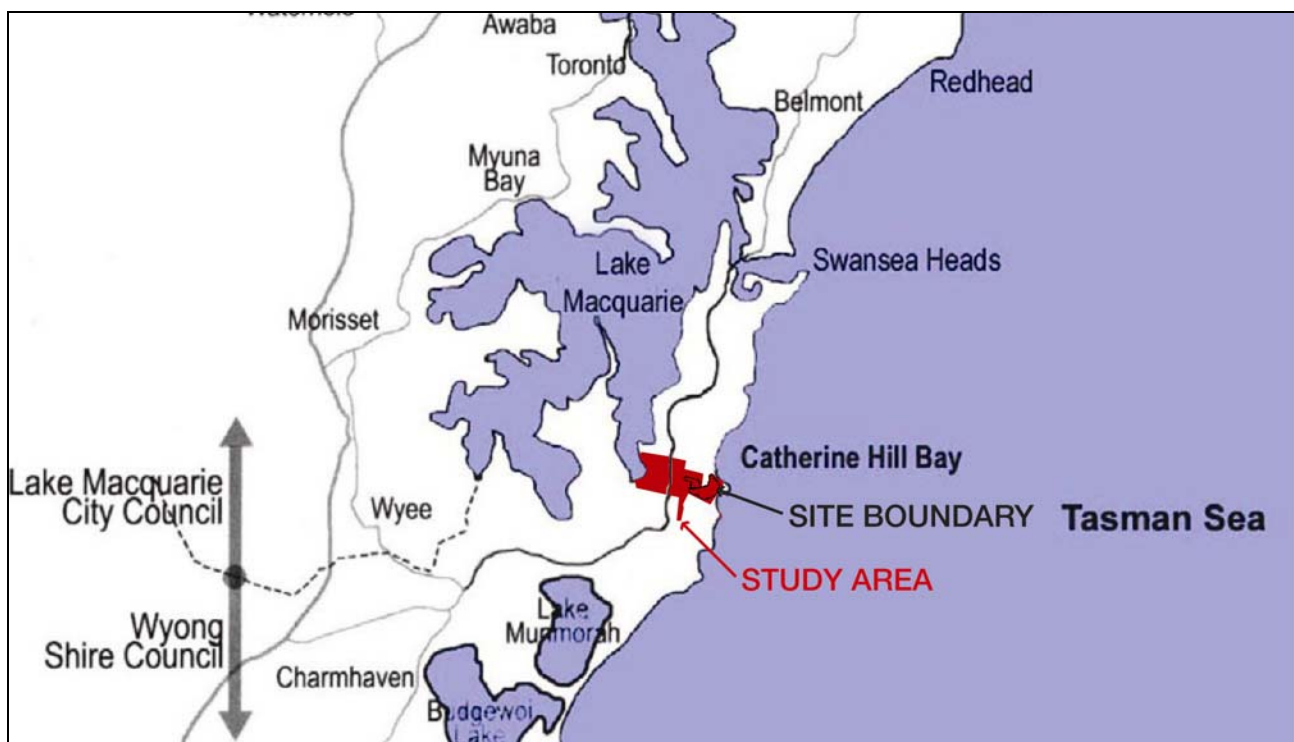


Figure 2.1.1 Regional Context

The total site is south of the Catherine Hill Bay village and is located on the site of the former Moonee Colliery, from which coal was mined and stockpiled.

The site is located on the eastern side of the main ridge-line that divides scenic areas between Lake Macquarie and the coast. Access to the site from the west is via Montefiore Street when travelling from the Pacific Highway. Access from the north is via Clarke Street, through Middle Camp, an extension of Flowers Drive, which is the main approach road into the hamlet of Catherine Hill Bay from Swansea.

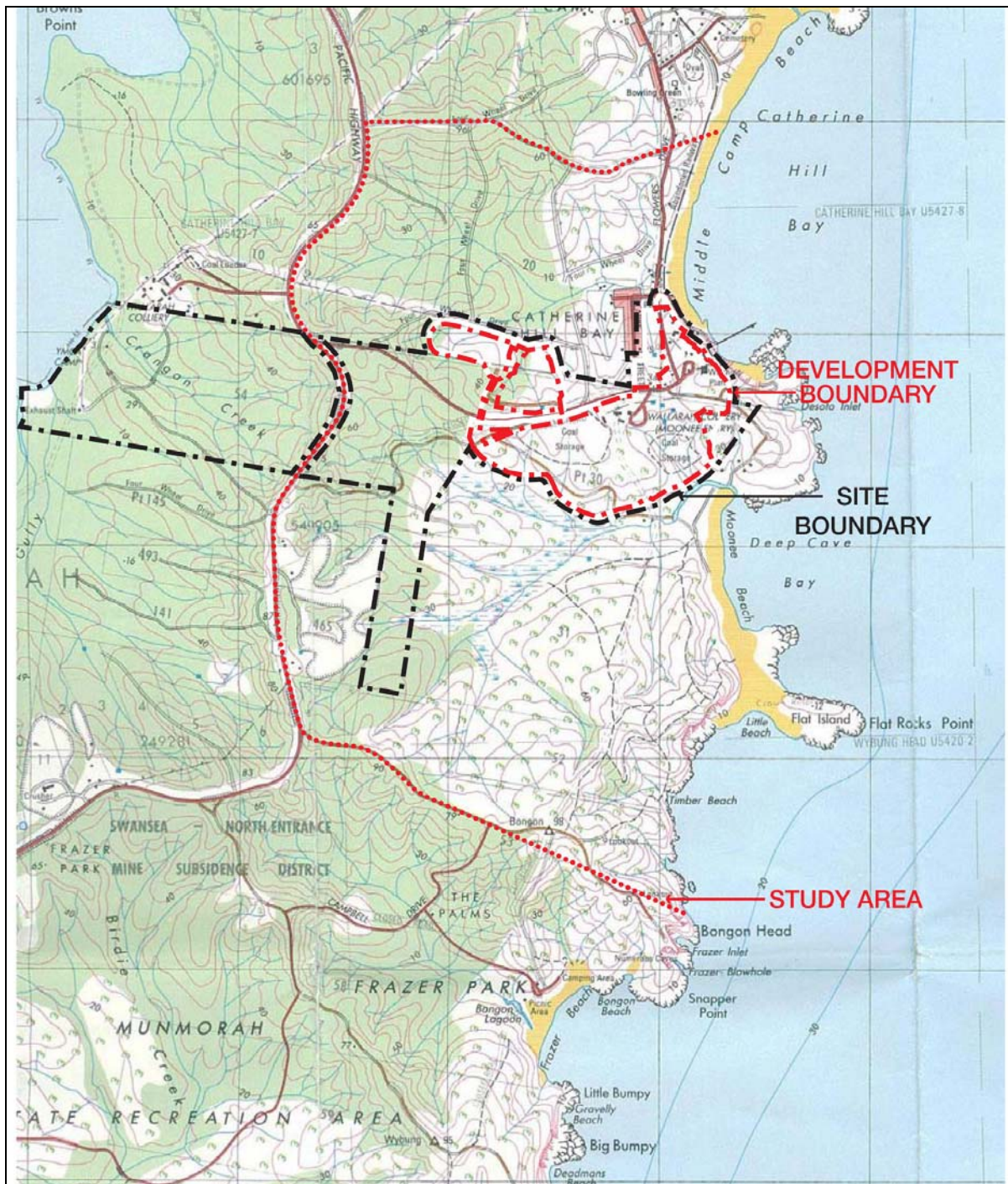


Figure 2.1.2 Site Context

2.2 Site History

The site consists of the former coal mine and land surrounding it. Known as the Moonee Colliery, it was associated with the Wallarah Collieries and the Catherine Hill Bay processing and loading plant. The site contains large areas of cleared and levelled land formerly used for storage or treatment of coal and some stands of endemic vegetation and revegetation.

3.0 VISUAL CATCHMENT AREAS

Visual catchment areas for the site are made up of a series of landscape units. These are areas with a similar combination of such features as terrain, drainage patterns, vegetation and land use frequently occurring within easily recognisable, physical boundaries, including man-made constructions such as roads. Sub-units tend to be less well defined. These usually have significant defining features which set them apart from the main landscape unit. As noted in Figure 3.1, three main landscape units and two sub-units have been identified.

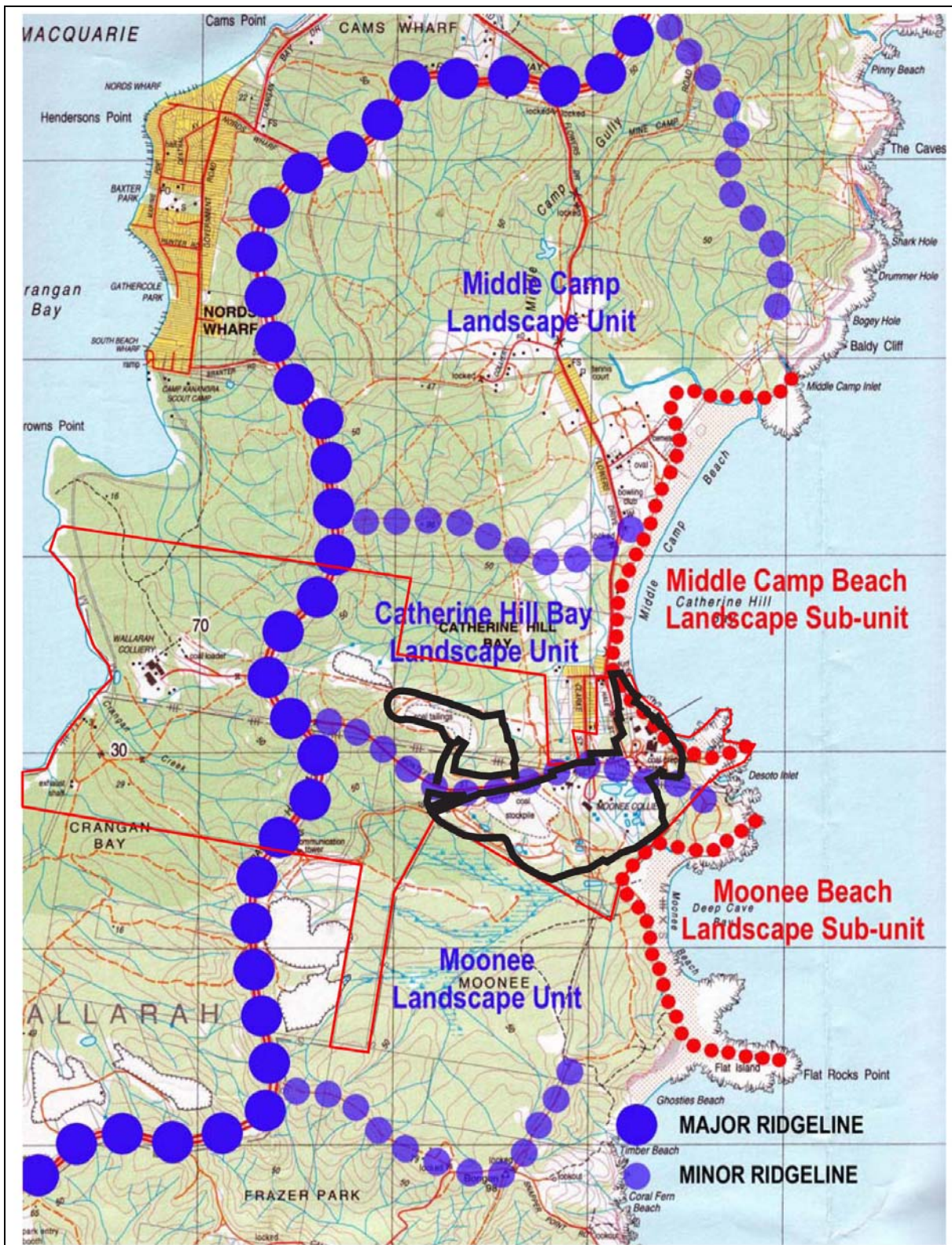


Figure 3.1 Landscape Units (from previous Verge report)

3.1 Middle Camp Landscape Unit

The Middle Camp Landscape Unit is largely defined by the Pacific Highway ridgeline to the west, minor ridgelines to the north and south, and the beach/ocean to the east. The unit is predominantly covered with native bushland (low-open forests, coastal heaths and areas of Paperbark Swamps) in varying states of disturbance. It is also criss-crossed with tracks and service corridors. Development (i.e. the miners' village, rural lands, cemetery and recreational facilities) has mainly occurred in the lower, flatter areas.

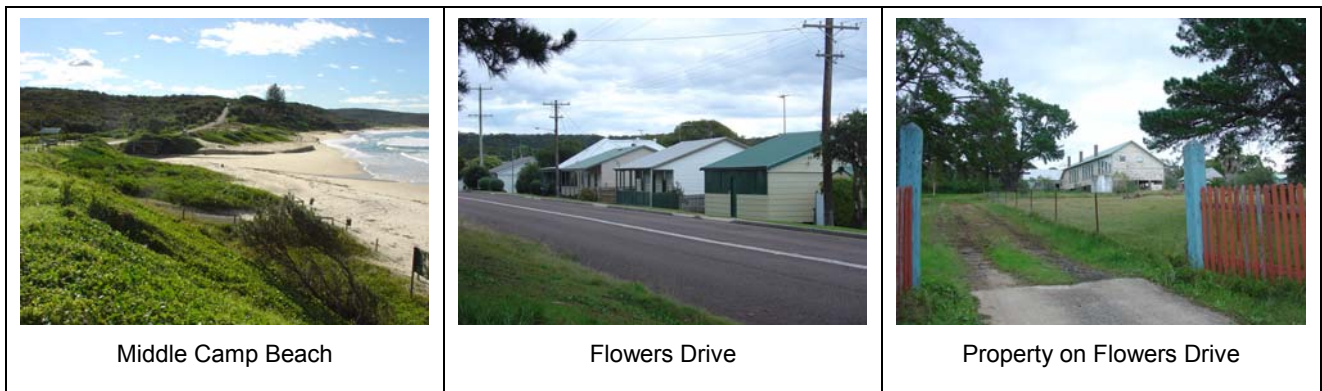
The unit has a strong sense of containment except for the higher elevations where views out into the Catherine Hill Bay Landscape Unit and ocean are possible. The visual quality is generally high mainly due to the presence of the beach and ocean with a varying land use pattern and high natural component.

Visual sensitivity would be moderate to high as previous development has already had some effect, however, its heritage associations would be viewed favourably and therefore would need to be properly considered.

Existing Sensitive Views

Views from Middle Camp Beach North looking west across into the Middle Camp landscape unit has a high visual quality as the dynamic effect of the ocean and beach has high aesthetic appeal. This part of the Middle Camp Beach sub-unit is mostly comprised of rocky headlands, the beach/ocean, fore-dunes and coastal heath vegetation.

Existing Character Photos



3.2 Catherine Hill Bay Landscape Unit

This unit is largely defined by the Pacific Highway Ridgeline to the west and minor ridgelines to the north and south with the beach/ocean to the east. The unit is predominantly covered with native bushland to the west, with varying states of disturbance. Past and recent development (i.e. the village, Wallarah House, surf club and recreational facilities) has mainly occurred close to the beach along the eastern side of the unit.

Visual sensitivity is considered to be moderate due to the visibility of Catherine Hill Bay village and the extent of development that has already occurred, including the jetty and Bin building.

Existing Views

The views from Middle Camp Beach into the Catherine Hill Bay Landscape Unit have a high visual quality as the views of the ocean and the beach have high aesthetic appeal. The recreational facilities and Wallarah House Precinct also add to its visual character and appeal. The southern half of the Middle Camp Beach sub-unit includes development such as the jetty, surf club, remnant bridge abutments and car parks. Currently, an existing building and scattered trees can be noted on the ridgeline defined by Montefiore St.

Glimpses of the remaining Colliery buildings can be seen from Flowers Drive; however, they do not provide an overpowering presence due to the screening vegetation.

Character Photos of Catherine Hill Bay Landscape Unit



3.3 Moonee Landscape Unit

The Moonee landscape is largely defined by the Pacific Highway Ridgeline to the west, minor ridgelines to the north and south with the headland, beach/ocean to the east. Overall, the natural vegetation (i.e. coastal heath, Paperbarks swamps and low open forests) tends to predominate, except for the heavily disturbed and degraded landscape that is the proposed development site.

Within this degraded zone are remnant building structures associated with the former mining activities, detention ponds, channels, re-vegetated areas and large tracts of weeds (predominantly bitou bush)

A view of Moonee Beach can be enjoyed from the intersection of Clarke Street and Montefiore Street.

The Moonee Landscape Unit generally has a moderate to high visual quality due to its apparent naturalness, the diversity of the vegetation types, the presence of the headland with its indented coastline, and Moonee beach. The visual quality is affected by the scarred landscape of the mined area when viewed from Moonee Beach.

The visual sensitivity of this area from Moonee Beach is considered to be high, as development within or near this unit will have a high impact.

Character Photos of Moonee Landscape Unit



4.0 VISUAL ASSESSMENT PRINCIPLES

4.1 Visual Quality

Visual quality is an assessment of how viewers respond to designated scenery. Scenes of high visual quality are those that are valued by a community for the enjoyment and amenity that they can create.

Scenes of low visual quality are of little scenic value to the community, there is usually a preference that scenes of low visual quality be changed or improved, and often through the introduction of landscape treatments (eg screen planting).

As visual quality relates to aesthetics, its assessment is largely subjective. There is evidence to suggest that certain landscapes are continually preferred over others with preferences related to the presence or absence of certain elements.

The rating of visual quality of this study has been based on the following generally accepted conclusions arising from scientific research (DOP, 1988).

- Visual quality increases as relative relief and topographic ruggedness increases.
- Visual quality increases as vegetation pattern variations increase.
- Visual quality increases due to the presence of natural and/or agricultural landscapes.
- Visual quality increases owing to the presence of water forms (without becoming common) and related to water quality and associated activity.
- Visual quality increases with increases in land use compatibility.

4.2 Visual Sensitivity

Visual sensitivity is another aspect that affects visual assessments. This estimates the significance that a change will have on a landscape and to those who view it. A significant change that is not frequently seen may result in a low visual sensitivity although its impact on a landscape may be high. Its assessment is based on a number of variables such as the number of people affected, viewer location including distance from the source, viewer position (i.e. inferior, neutral, superior), the surrounding land use and degree of change. Generally the following principles apply:

- Visual sensitivity decreases and the viewer distance increases.
- Visual sensitivity decreases as the viewing time decreases.
- Visual sensitivity can also be related to viewer activity (e.g. a person viewing an affected site while engaged in recreational activities will be more strongly affected by change than someone passing a scene in a car travelling to a desired destination).

4.3 Visual Impact Definitions

Visual impact is the interaction between a proposal and the existing visual environment. It is often expressed as the level of visual contrast of the proposal against its setting or background in which it is viewed. This is particularly important should any proposed development extend above the skyline, unless there are particular circumstances that may influence viewer perception and/or visual impact.

Low visual impact occurs when a proposal blends in with its existing viewed landscape due to a high level of integration of one or several of the following; form, shape, pattern, line, texture and colour. Effective screening through a combination of landform and landscaping can also reduce visual impact.

Moderate visual effect results where a proposal noticeably contrasts with its viewed landscape, however, there has been some degree of integration (e.g. good siting principles employed, retention of significant existing vegetation, provision of screen landscaping, careful colour selection and/or appropriately scaled development.)

High visual effect results when a proposal presents itself with high visual contrast to its viewed landscape with little or no integration and/or screening.

5.0 VIEWS STUDY

5.1 The Proposed Development

The proposed development consists of 7 distinct hamlets in a landscape setting located to both the north and south of the Montefiore Street ridge line. These residential hamlets form individual communities set around a central open space that connects to the surrounding bushland and beach beyond.

The hamlets vary in size and street pattern, but are based on a consistent structural framework. Informal pocket parks and green links throughout each hamlet help screen the hamlet and provide a natural landscape setting. Bush corridors separate each of the hamlets and integrate them with the surrounding bushland. These reduce the visual impact of the entire development and provide habitat corridors from the ridge line to the beach.

The Village Centre is located in Hamlet 1 and forms the termination of Montefiore Street. The Village Centre provides residential use and commercial activity for the community, visitors, and the residents of the existing Catherine Hill Bay village.

Hamlet 1 also includes a series of larger houses setback from the cliff face. These houses form a consistent edge along the eastern edge of the precinct. Views of the sea can be seen between the houses. At the northern end of the precinct, these houses change orientation in a stepped arrangement as they move south.

Hamlets 2-5 are located to the west of Hamlet 1 on the southern side of the Montefiore Street ridge line with Hamlet 2 located closest to Hamlet 1 and the Village Centre. Hamlets 6 & 7 are located to the north of the ridgeline and are set back from the road and sited on the higher slopes to the west of the existing Catherine Hill Bay village.

The proposed development also contains a number of parklands and public open spaces;

- A Sea Cliff Reserve and Coastal Walk extending from Catherine Hill Bay to Monee Beach.
- A 15m Parkway along Montefiore Street provides a visual buffer to Catherine Hill Bay Village and maintains a green ridgeline.
- A Village Park in the existing public open space at Catherine Hill Village (Middle Camp).
- A Headland Reserve to protect and conserve the coastal heath vegetation. This allows green views of the headland to be retained.

Development on the subject site has both positive and negative effects on scenic quality. In some situations access and views can be improved, areas revegetated, amenity and parkland provided, urban planting incorporated and way finding increased, thus having a positive effect on scenic quality. In other areas, the proposal may indicate a reduction of scenic quality. This section will provide an analysis of areas where the proposal may reduce scenic quality and present recommendations to mitigate such effects.

Figure 4.0.2 below locates the sensitive views identified on site. Following is a summary of the sensitive views, previous recommendations and the design principles adopted to mitigate the effect on these views. Photomontages have also been produced to illustrate the existing views and the impact of development on these views.

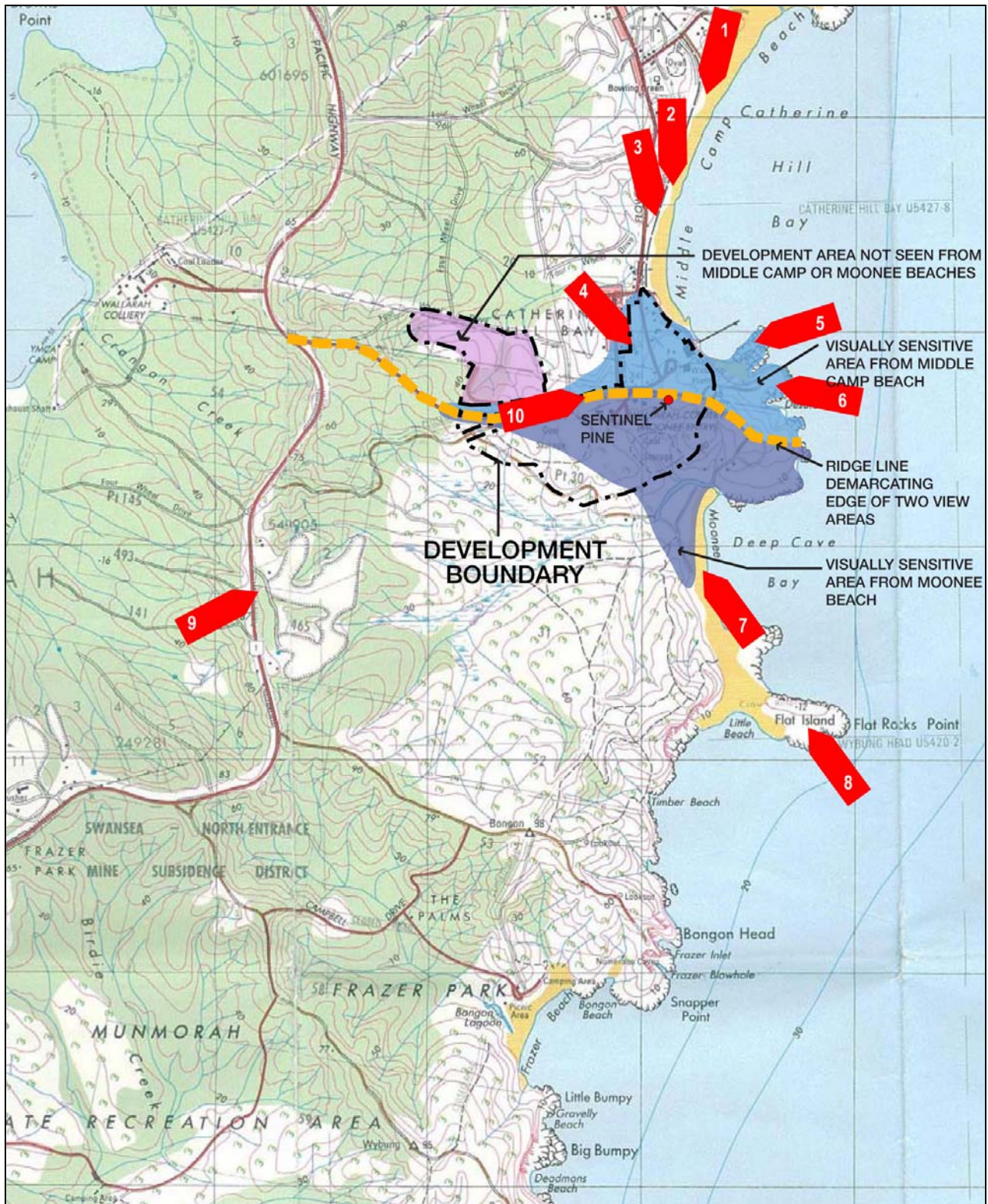


Figure 4.0.2 Views Location Map

VIEW LOCATION 1



From the north end of Middle Camp Beach from a high elevation, Wallarah House and the Bin Building can be seen in the distance but the predominant characteristic of the ridge and view is undeveloped and vegetated to the south of Wallarah House. Catherine Hill Bay Hamlet is clearly seen from this view point.

View 1: Existing view from north end of Middle Camp Beach (long view).



This modelled view of the site shows the proposed development concept with both buildings and landscape works. Some of the development can be seen from this view point.

The proposed development can be seen near the top of the ridge line left of Wallarah house and slightly lower on the ridge south of the Bin building.

The proposed landscaping screens the majority of the new development from view and reinforces the green ridge planning principle. Sensitive building design and colour choice also reduces the visual impact of the development from Middle Camp Beach

View 1a: View of proposed development view from north end of Middle Camp Beach (long view).

VIEW LOCATION 2



View 2: Existing view from Middle Camp Beach (mid view).

Wallahah House can clearly be seen from the closer view of the headland from Middle Camp beach. From this lower elevation, views of the existing Catherine Hill Bay Hamlet to the north are cut off by the cliffs along the beach.



View 2a: Development view from Middle Camp Beach (mid view).

From this modelled view, the houses set back from the cliff and stepped with the landform along the south side of the Bin building are seen.

The development follows the existing form of the ridge and clear separation between the new development and Catherine Hill Bay Hamlet can be seen.

The proposed landscape partially screens the proposed development and nestles it into the side of the hill. The ridge and its vegetated character are maintained.

VIEW LOCATION 3



View 3: Existing view from Middle Camp Beach (short view).

This view of the cliff line and Catherine Hill Bay headland is taken from the higher elevation of Pat Slavern Reserve.

The ridge vegetation in the background consists of tall trees. However, the scrub planting along the cliff top consists of shrubs and weeds.



View 3a: Development view from Middle Camp Beach (short view).

The proposed development sits below the ridge line behind and is nestled into the slopes.

The proposed landscape filters the view of the proposed development from this location.

The sensitive building design and colour choice integrates the proposed development with its surrounding environment.

VIEW LOCATION 4



The existing view from the rear of Clarke Street looking towards the ridge and development site is one of thickly vegetated planting with dams and long grass in the foreground.

View 4: Existing view From Catherine Hill Bay Hamlet



This predominantly vegetated view is generally retained with the proposed development. Apart from a short row of houses in the south east corner of the existing undeveloped land to the east of Clarke Street, the remaining area is proposed as public parkland with the topography and planting designed to further screen the additional houses in the south east corner from the rear of the existing properties along Clarke Street.

View 4a: Development view From Catherine Hill Bay Hamlet

VIEW LOCATION 5



The Bin Building can clearly be seen from this vantage point. The lack of significant vegetation along the cliff top has left the cliff face vulnerable to an infestation of bitou bush.

The rise in landform as the cliff moves south east towards the headland restricts view into the former mine site.

View 5: Existing view from rocks off headland south of jetty



The setback of the houses along the cliff top sites them slightly lower than the cliff edge. Existing trees and shrubs screen the lower parts of the houses from view.

The proposed landscape provides filtered screening of the houses from this viewpoint. Removal of the bitou bush and proposed tree planting provides further screening to these houses when viewed this location.

View 5a: View of proposed development from rocks off headland south of jetty

VIEW LOCATION 6



From this view north west towards the development site from the end of the trail, the ridge and cliff line planting screens the development site from view.

The Bin Building can partially be seen behind the slopes and vegetation and some of the existing Catherine Hill Bay hamlet can be seen to the right of the view.

View 6: Existing view from end of walking trail on headland



The proposed development can be seen from this location.

The roof lines sit near or below the proposed tree canopy in the background. The lower halves of the houses are screened from view by the existing vegetation and landform.

The proposed landscape works further screen the houses with filtered views and integrate them with the surrounding landscape.

View 6a: View of proposed development from end of walking trail on headland

VIEW LOCATION 7



Due to the low elevation of Moonee Beach, very little of the former mine site can be seen from this view point.

View 7: Existing view from Moonee Beach



The proposed development is nestled into the side of the ridge and is sited back from the beach and below the ridgeline. The sensitive building design, beach set backs and colour choice nestle the proposed development into the hill side.

The proposed landscape work and bushland corridors between the various hamlets partially screen the development and integrates it with the natural character of the surrounding environment.

View 7a: Development view from Moonee Beach

VIEW LOCATION 8



The existing view of Moonee landscape unit from Flat Rock is mainly natural in character, with some development seen by the grading of the land for mining and stockpiling.

View 8: Existing view from Flat Rock Point.



Similar to the closer view from Moonee Beach the proposed development lies below the ridge and is stepped back to nestle the development into the side of the hill. Bushland corridors between the hamlets and re-vegetation works screen a significant part of the development from view, giving it a natural character when viewed from a distance.

The proposed sensitive building design and colour choice further reduces the visual impact of the development and helps integrate it with the surrounding landscape when viewed from this location.

View 8a: View of proposed development from Flat Rock Point

VIEW LOCATION 9



View 9: Existing view from Pacific Highway (Courtesy of Verge)

This existing view is from the Pacific Highway looking across the western mine north-east to the development site. This view is not of high significance and has not been modelled.

VIEW LOCATION 10



View 10: Existing view from Montefiore Street looking east.

The existing view along Montefiore Street towards the headland is currently screened and the existing industrial use of the site cannot be seen.

The proposed 15m screening buffer on either side this street retains the screening and provides a vegetated ridge line. This view has been modelled and the proposed development cannot be seen.

The proposed development does not change the view from this location.

6.0 VISUAL IMPACT AND DEVELOPMENT PRINCIPLES

This impact summary considers the effects of the proposed concept plan on the area taking into account the analysis of visual catchment areas. The proposed concept plan has differing levels of impact on the scenic quality of each visual catchment area and therefore the impact summary will be made in regard to each precinct as noted on the concept plan.

The subject site is located in an area surrounded by bushland. While much of the land is currently privately owned, negotiation with the developer anticipates a future curtilage surrounding the village that will prohibit any further urban expansion.

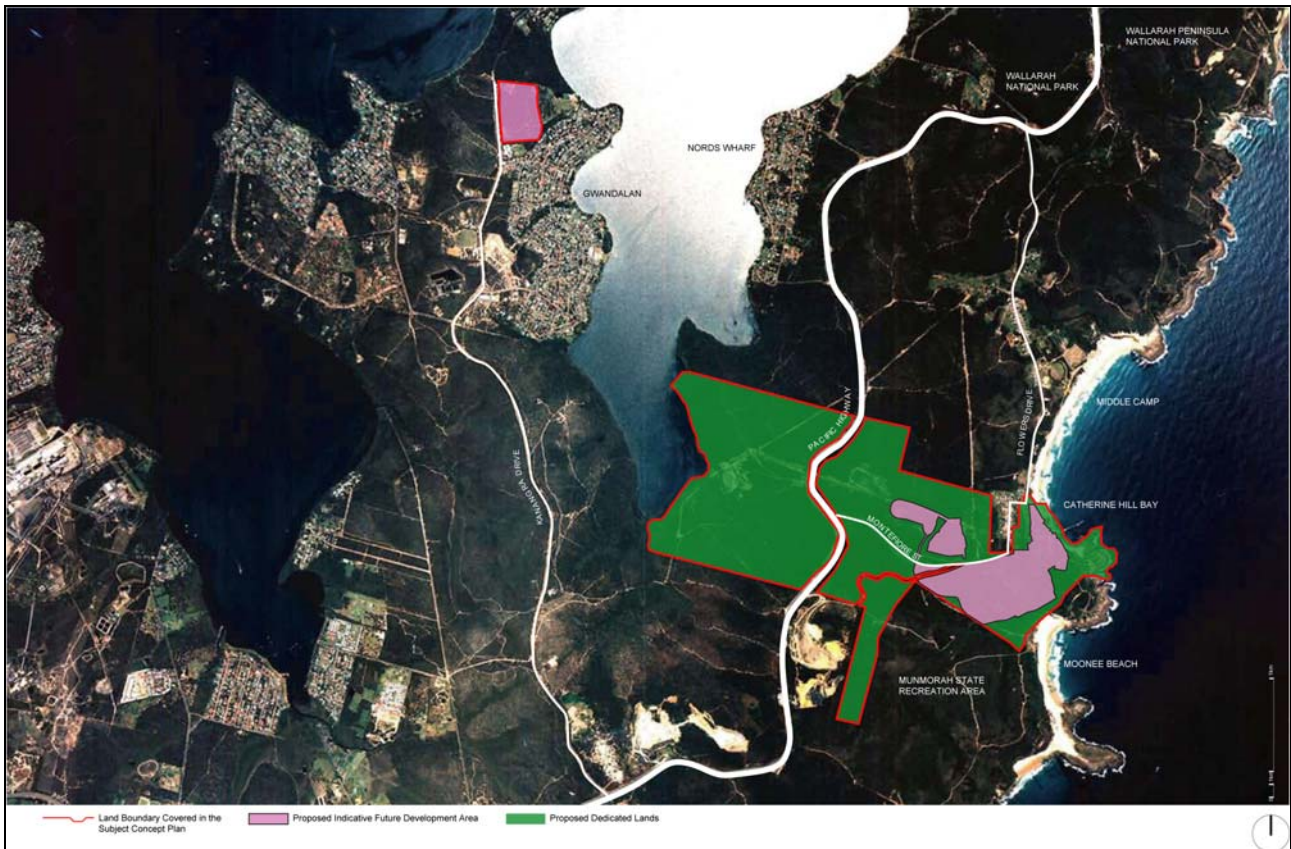


Figure 4.0.1 Plan showing the defined edges of the future CHB village area (by CM+)

6.1 Wallarah House Precinct

6.1.1 *Impact on views from Catherine Hill Bay Village and Flowers Drive:*

Wallahah House Precinct, comprising the garden and grounds of Wallarah house and the Jetty Master's cottage is not included in the proposed development. There will, however, be works undertaken in association with improvements to the surrounding open space and consolidation of Hale Street. The view of the precinct will be enhanced by the introduction of the new Village Park in the open space area to the west of Hale Street and new street trees associated with the proposed improvements to Hale Street. The open space curtilage between the Catherine Hill Bay Village and the views to the water are retained.

Development design principles and recommendations:

- Wallarah House Precinct includes Wallarah House and the Jetty Master's Cottage. Any future use or development of these items will take into consideration their heritage significance, relationship to Catherine Hill Bay and views from the existing village, beachfront and the water.
- The experiential quality of entering the Catherine Hill Bay from the north on Flowers Drive will be protected. Any new development within the Wallarah House Precinct will be consistent with the adaptive reuse of Wallarah House and guided by an appropriate Conservation Management Plan.
- No new buildings are to be located between Wallarah House and the Jetty Master's Cottage.

- The gardens and grounds of Wallarah House and the jetty Master's cottage will be enhanced including the introduction of new plantings and fencing.
- The open space headland backdrop to Wallarah House (outside the development zone) will be conserved, enhanced and managed as public open space with walking trails, weed program to remove the existing bitou bush and interpretive signage.

6.2 The Moonee Hamlets 1- 5, and Hamlets 6-7

The proposed development

The Moonee Hamlets subdivision pattern is based on a concept of distinct hamlets set in a landscape setting. These residential hamlets form individual communities set around a village green but also provide full permeability to surrounding bushland and to the beach beyond.

The hamlets vary in size and street pattern, however, are based on a consistent structural framework. Each hamlet is organised around a hamlet green that provides a focus and point of identity for that hamlet.

The hamlets are separated by bush corridors that are contiguous with surrounding bushland and the bush buffer along Montefiore Street.

Montefiore Street is landscaped and enhanced with indigenous native trees to create a parkway along its entire length. A 15m wide landscaped zone on each side of the street will provide a visual buffer to Catherine Hill Bay Village and maintain a green ridgeline.

6.2.1 Impact on Views from Middle Camp Beach (Locations 1, 2 and 3)

The minimum 15m wide native tree plantings on both sides of Montefiore Street will establish a permanent green ridge on the skyline.

The Moonee Hamlets 2- 5 will not be visible from these locations. Hamlets 6 and 7 will not be visible from these two locations because of their location, surrounding topography, and existing vegetation.

Parts of Hamlet 1 and the Village Centre will be visible from Locations 1, 2 and 3 through a screen of native trees.

The roofs of the proposed single storey houses adjacent to the Coastal Walk will be partially visible from Middle Camp Beach. A stepped arrangement minimises the visual impact of the village centre as seen from the beach and to allow views from the houses to the north and east.

The houses will be partially screened by the proposed landscaping in the private gardens and enhanced native revegetation of the Coastal Reserve (refer to views 1a & 2a) The development is 'held back' from the headland and ridgeline so that the green backdrop to the village centre is retained from these viewpoints.

The upper architectural elements of the some of the northern two storey buildings in the village centre will also be partially visible from Middle Camp Beach. These will be partially screened by the proposed new and existing trees not affected by the development.

The pergola proposed on the existing Bin building will be partially visible through the trees.

Development design principles and recommendations:

- The village centre will be extensively landscaped with indigenous trees and shrubs that are tolerant to the coastal microclimate and salt environment to enhance and screen the development. Vegetation will be suitable for screening using a combination of fast growing salt tolerant shrubs with native coastal trees to blend the development into the site. The cliff line will be revegetated and native coastal tree plantings located between each building to soften the ridgeline.
- Buildings in the Village Centre and Hamlet 1 will be consistent with the bulk and scale of the existing housing stock in Catherine Hill Bay while allowing sufficient scale to provide for a small but lively village atmosphere. The proposed colours will be muted green/grey tones that will integrate the development with the existing landscape colours.
- The green ridgeline of Montefiore Street will be extended into the Village Centre.

6.2.2 Impact on views from Catherine Hill Bay Village (Location 3)

The local views from Catherine Hill Bay Village will be enhanced by the new landscaping and parks integral with the proposed development. These landscape improvements and open spaces include Montefiore Parkway, the Village Park and the Village Green.

Hamlets 2-5 will not be visible from Catherine Hill Bay Village because of the site topography. Screening created along Montefiore Parkway and the Village Park will enhance the separation of the Hamlets from the existing CHB village.

Hamlets 6-7 will also not be visible from here because of their location.

The Village Centre and Hamlet 1 is generally outside the visual catchment of the existing CHB village. The proposed houses on the northern slopes in Hamlet 1 will be screened by the new plantings in the Village Park, the proposed native street trees in Hale Street and trees proposed in the private gardens.

Development design principles and recommendations:

- The green ridgeline created by Montefiore Parkway and Village Park will provide a permanent landscape screen and open space between Catherine Hill Bay Village and the Hamlets.
- The vista of Moonee Beach from the intersection of Clarke Street and Montefiore Street will be retained.

6.2.3 Impact of Views from Moonee Beach, Locations 7 and 8

The existing views from Moonee Beach will be impacted by the development.

Hamlets 2,3,4,5 and part of Hamlet 1 will be partially seen from Flat Rock Point and Moonee Beach. The houses in the Hamlets will be partially screened by new landscaping and separated by bushland corridors, substantially reducing any potentially adverse visual impacts.

The proposed hamlets will be seen against the green ridgeline of Montefiore Street and the trees and slopes of the proposed Village Green.

The visual integrity of the headland will be retained by containing the development below the primary and secondary ridgelines and the overall effect of the headland will be enhanced by new plantings and bush regeneration on the slopes.

Development design principles and recommendations:

- Development will be limited to one and two storey height, sensitive building design using colours derived from the surrounding environment to moderate views of the development from the beach. The mix of dwelling types will maintain the scale and character of a coastal village.
- A continuous canopy cover will be provided throughout the development using trees that have a leaf texture sympathetic to the surrounding endemic vegetation to reduce the visual impact of the development.
- The bushland corridors will be planted with indigenous vegetation to provide uninterrupted green links from the Montefiore Street ridgeline to the Beach.
- The Asset Protection Zone will incorporate trees and shrubs to soften the boundary between the existing indigenous vegetation areas on the lower slopes and the developed areas. Exotic plantings will be used judiciously in relation to their location and future visual impact when viewed from Moonee Beach.

6.2.4 Impact of Views from the Headland, Locations 5 and 6

The Bin building and dwellings adjacent to the coastal walk will be partially visible from the rocky foreshore of the headland. The dwellings will be partially screened by landscaping in the private gardens and intensive plantings of indigenous trees and shrubs on the slopes adjacent to the Coastal Walk.

The view of this enhanced landscaping will be an improvement on the existing degraded, weed infested landscape.

Development design principles and recommendations:

- The dwellings at the edge of the Reserve will be single storey and painted in recessive colours.
- Extensive revegetation of indigenous trees and shrubs and landscaping on private lots will be introduced to revegetate the degraded cliff edge and Coastal Reserve and to ameliorate any adverse impacts of the development from the headland foreshore.

6.2.5 Impact on Views from Moonee: (Munmorah State Recreation Area) Location 7

Only a small portion of the 12km length of Munmorah State Recreation Area has visual access to the site and the majority is that of the southern slopes and the scarred and degraded landscape of the mine.

The areas to access these views are considered to be of lowest use within the SCA but have access to vegetation that is unique within the SCA.

These views from the Munmorah State Recreation Area (SCA) will be affected by the development. The hamlets will be seen against the green ridgeline of Montefiore Street, screened by indigenous trees. The canopies of the bushland corridors, street trees, neighbourhood parks and Village Green will knit together over time, forming a green matrix across the slope when seen from this distance.

Whilst parts of the development can be seen, the impact is not considered to be adverse under these circumstances.

Development design principles and recommendations:

- Extensive landscaping and revegetation will mitigate the visual impact along with the use of sensitive building techniques consisting of colours derived from the surrounding environment.”
- Where possible retain existing trees.
- Trees to be planted on the ridgeline along Montefiore will have a taller canopy than the highest buildings in order to enhance the ridgeline.
- Predominant tree planting within the development area should be informal copses of native trees with a sympathetic leaf texture to the surrounding endemic vegetation.

6.3 Hamlets 6 And 7

Hamlets 6 and 7 are not visible from Catherine Hill Bay Village, Middle Camp Beach and Hamlets 1-5 because of the location.

Development design principles and recommendations:

- Retain and protect vegetation where possible.
- Integrate new buildings with the restored contours and landscape
- Provide a variety of public open spaces that complement local passive recreation needs with the natural ecology, heritage values and coastal setting of the area.



PRELIMINARY
not for
Construction

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|----------|---------------|-------|
| 18.07.07 | Client Review | B |
| 16.07.07 | Client Review | A |
| Date | Amendment | Issue |

Notes
Verify all dimensions on site before commencing work.
Report all discrepancies to the Architect Prior to construction. Use figured dimensions in preference to scaled dimensions.
Drawings made to larger scales and those showing particular parts of the works take precedence over drawings made to smaller scales or for general purposes.

All work is to conform to relevant Australian Standards and Codes together with all Authorities' requirements and Regulations.



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|---------|--------------------|----------|-----------------------|
| Project | Catherine Hill Bay | Title | Landscape Master Plan |
| Client | Rosecorp Pty Ltd | Date | 17 July 2007 |
| | | Drawn | AM/200 |
| | | Drawn No | 07520 LMP.000 |
| | | Issue | B |

7.0 CONCLUSION

- The development proposed is restricted to three small visual catchment areas Middle Camp, Catherine Hill Bay and Moonee,
- The proposed development is contained within a well defined area as recommended in the NSW Coastal Design Guidelines (2003). A large area of dedicated land will surround the development area in all directions, preventing any further development.
- Views from Middle Camp Beach and along Flowers Drive are impacted by the proposed development. These are views of the Village Centre shop top houses, and the houses along the eastern edge of this precinct from Middle Camp Beach. Proposed landscaping such as the greening of the ridge line along Montefiore Street, Village Green, Wallarah House curtilage and integration of native canopy planting through the residential houses helps retain the green backdrop and filters views of the development. The views of Wallarah House will be improved and filtered views of the Village Centre will provide an identifying meeting place.
- Views of the proposed development from Catherine Hill Bay Village have little impact (refer View location 3). The view from Clarke Street is heavily screened by the Village Park. Along Montefiore Street, there is little or no impact visual due to landform and landscape screening buffers.
- Views from Moonee Beach have some visual impact. However, proposed landscape works such as bush corridors and revegetation help screen and retain the vegetated character of the hill side and cliff top.
- No new buildings between Wallarah House and the Jetty Master's Cottage.
- Views from Flat Rock Point have little impact by the proposed development due to distance and siting of buildings below the ridgeline. Canopy planting throughout the development site further reduces the visual impact from this view point.
- Significant views from only a small section of the Munmorah SCA has limited visual impact when considering the size of the conservation area. It is considered that the development will increase visual access opportunities with filtered views into the SCA.
- The concept plan proposes considerable revegetation works in what was formerly degraded mining land. In addition vegetation buffers in the APZ and green corridors through the site, defining each hamlet will be created to provide transition areas between the urban development and the existing and revegetation areas.
- The development proposes a clearly defined Village Centre located east of the intersection of Montefiore Street & Hale Street adjacent to the Bin building. This allows views over the Moonee and CHB visual catchment areas. Landscaping in the centre of the commercial precinct will soften the CHB/Moonee ridgeline as viewed from locations on Moonee Beach and Middle Camp Beach and provide filtered views.
- The proposed Moonee Hamlets 2-5 cannot be seen from the existing Catherine Hill Bay hamlet due to the ridgeline and general topography. The proposed screening along Montefiore Street will contribute to the visual separation. There will be filtered views of the Village Centre and parts of Hamlet 1 from the Catherine Hill Bay hamlet.
- The proposed Hamlets 6 & 7 located north of Montefiore Street cannot be seen from the existing Catherine Hill Bay hamlet or Montefiore Street. The landform, retention of existing vegetation and distance screens views of Hamlet 6 from the existing Catherine Hill Bay hamlet. The 15m landscape buffer zone and set back of the proposed hamlets from the ridgeline conceals the proposed hamlets from view along Montefiore Street.
- The concept plan proposes greater visual access to views of high scenic quality such as the Munmorah SRA, Moonee Beach and the CHB Headland. The coastal walk and green view corridors will be used to increase viewer access. The proposal will increase visual and/or public access to a number of significant heritage items.
- The proposed streetscaping and high quality architectural design creates a compact urban coastal village of outstanding visual quality and scenic amenity.
- With the adoption the development design principles, it is anticipated that the scenic quality will be protected; viewer access increased, and in a range of situations, increased scenic quality throughout the site.