

20 JAN 2009



PORT MACQUARIE  
HASTINGS

15 January 2009

Parcel Number: 12178

Hopkins Consultants Pty Ltd  
PO Box 1556  
PORT MACQUARIE NSW 2444

Attention: Mr Andrew Lister

Dear Mr Lister

**Part 3A Application MP06\_0212 – 'Le Clos Verdun' Rural Residential Subdivision  
Sancrox Road, Sancrox. Lodgement of Additional Information**

I refer to your submission of additional information dated 23 December 2008 in response to Council correspondence dated 13 June 2008.

At this point in time a detailed assessment and formal acceptance of the additional information is not possible. In accordance with Section 75H(6) of the Act it is requested all specific issues (i.e. from State agencies, general public and Council) raised following exhibition of the Environmental Assessment be addressed. It is recommended that examples of other accepted Part 3A projects be viewed on the Department of Planning's website to establish a suitable format for responding to submissions and lodging a Preferred Project Report. The Preferred Project Report is also required to include a revised Statement of Commitments and detail all changes to the application.

Notwithstanding the need to submit a more comprehensive Preferred Project Report, the following preliminary information is provided in response to the additional information submitted:

**1. Development Contract and Staging** - Amending previous requests for a one stage linen release is acknowledged and supported. The application will be assessed having regard for the staging plan as proposed.

**2. Water Supply** – Clarification is sought on whether a Voluntary Planning Agreement (VPA) is still proposed with respect to water supply/headworks. Whilst the existing development credit is acknowledged, the growth component of the development is not included in Council's current Developing Servicing Plan. Council's Water Supply Engineers have indicated the water supply contributions would be in the vicinity of \$14,000.00 per equivalent tenement and that such a contribution be included in any VPA.

Further detail on water supply strategy is required as per letter dated 13 June 2008.

**3. Traffic and Access** - Clarification is sought on whether a Voluntary Planning Agreement (VPA) is still proposed with respect to road infrastructure. Whilst the existing development credit is acknowledged, the growth component and scale of the development may not be

adequately covered by Council's current Section 94 Plan for Major Roads. This requires further discussion.

**4. Public Access** – From the information provided it appears that the Department of Lands is willing to allow improved access along the foreshore. Given the principles of *State Environmental Planning Policy 71 – Coastal Protection* relating to public access, further detail is sought on whether an improved access trail along the foreshore is achievable and capable of being included and managed as part of the development.

**5. Foreshore and Riparian Corridor Management** – It is requested that proposed foreshore and riparian corridor management measures outlined in the various accompanying plans and documentation be appropriately outlined in revised Statement of Commitments. It is difficult to consider conditioning vegetation management measures without the detail of a vegetation management plan.

**6. Subdivision Design** – Proposed comments are acknowledged and agreed for lots 26-29 and 33-35.

Given the vegetation significance of Lots 125 – 126 it is considered building envelopes are warranted. Clarification is also sought on the reconfiguration of former lots 125-131. It appears that a lot may have been removed. It is requested that all instances where changes to the subdivision layout have been made be described in the supporting documentation.

Whilst it is considered it may not be essential to require building envelopes for Lots 139-142 given the 7(h) zoning on those lots, it is requested that details be provided demonstrating that a building can be practically sited on the allotments given Council's 10m building setback to road boundaries, asset protection zones and effluent disposal areas.

Building envelopes are considered necessary for lots 45-47 given the presence of the Endangered Ecological Communities.

The additional comments relating to lots 44-49 are acknowledged. Clause 17 of the *Hastings Local Environmental Plan 2001* (HELP) requires lots in the location to be of a size capable of disposing effluent. The Coffey report appears to suggest these lots are not suitable for on-site effluent disposal. Notwithstanding the proposed cluster system, clarification is sought on whether each lot could sufficiently dispose of effluent on the site and satisfy the technicality of the HLEP.

**7. Ecological Assessment** – The revised ecological assessment is acknowledged. It is requested however that the specific issues raised by other parties following exhibition be addressed. In addition;

- The ecological assessment does not appear to have recognised the impact of the proposed fire trail and its crossing of Haydens Creek, as discussed on site and raised in correspondence dated 13 June 2008. It is requested that this impact be included in the assessment (It is additionally noted that the Bushfire Risk Assessment requires updating to reflect intended clearing and fire trail locations).
- Clarification is sought on which lots it is proposed to clear Swamp Oak



Floodplain Forest. There appears to be inconsistencies with lots referenced on page 30 of the ecological assessment and the subdivision plan.

- Further justification is required where it is proposed to use vegetation offsets in areas already zoned for environmental protection.
- The ecological assessment does not sufficiently detail proposed management measures (i.e. weed control, nest box and revegetation requirements etc.).

**8. Archaeological Assessment** – Information acknowledged and will be forwarded to the Department of Environment and Climate Change for comment in due course.

**9. Effluent Disposal and Fisheries Management** – It is requested that issues raised by the Department of Planning and Department of Primary Industries be specifically addressed.

**10. Effects of Climate Change** – Information acknowledged and will be referred to relevant parties for assessment.

**11. Mineral Resources** – Information acknowledged and will be forwarded to relevant parties for assessment.

It is requested that ten (10) copies of the Preferred Project Report be submitted. Of the plans submitted, a minimum of 3 sets are to be provided to scale at A1 sheet size.

Whilst assessment of the submitted Preferred Project Report will continue upon submission, it is considered that formal acceptance is not possible until any VPA has been agreed to and publicly exhibited.

Should you require any further information please do not hesitate to contact me on telephone 6581 8538 or email [dan.croft@pmhc.nsw.gov.au](mailto:dan.croft@pmhc.nsw.gov.au)

Yours sincerely



Dan Croft  
Strategic Projects Planner