

Summary of Consultations for Rainbow Beach Environmental Assessment Report

The Concept Plan prepared for Rainbow Beach, is primarily a ratification of the adopted Area 14 Structure Plan prepared for Port Macquarie – Hastings Council by Deicke Richards *et al.*

The Area 14 Structure Plan involved various levels of consultation, including workshops involving residents and community groups, as well as meetings with State Government representatives. The issues raised during those meetings were summarised in the Area 14 Structure Plan, and the Rainbow Beach Environmental Assessment Report has had regard to those issues raised.

The various site investigations, engineering designs and modelling undertaken for the Environmental Assessment Report supporting documentation, are also relevant to the Project Application for the Constructed Wetland. Therefore, the consultations with various State Government Authorities have included reference to the Project Application proposal.

1. Consultation with State Government

In October 2008, information was sent to the following State Government Departments, and their comments sought:

Department of Primary Industries – Fisheries
Wollongbar Office

Department of Primary Industries – Agriculture
Wollongbar Office

NSW Rural Fire Service
Granville Office

Department of Education and Training
Sydney Office

Department of Environment, Conservation & Climate Change
Newcastle Office

Roads and Traffic Authority
Grafton Office

A site meeting was also held with DPI Fisheries on 5th November 2008. At the time of writing, responses have been received from DPI Fisheries, DPI Agriculture and NSW RFS.

In August 2008, information was sent to the Department of Water and Energy (DWE), as the NSW Office of Water (OoW) was then known. The information provided included the previous draft of the Water Engineering and Environment Report prepared by Cardno Pty Ltd to enable DWE (OoW) to consider the details of the project including the proposed constructed wetlands. A site inspection was also held with DWE (OoW) on 5th November 2008 and DWE (OoW) followed that site inspection with written comment received late May 2009. As a result of the comments received the Proponent engaged the University of New South Wales Water Research Laboratory (WRL) and a Groundwater Characterisation and Numerical Modelling for Rainbow Beach Estate was completed by WRL in April of this year. The work by WRL, as an extension of the previous work by Cardno, addresses all of the comments raised by DWE (OoW) in their May 2009 correspondence and the Office of Water has recently been provided with a copy of the WRL work.

2. Consultation with Local Government

Whilst the Concept Plan and Project Application for Rainbow Beach are required to be considered under the provisions of Part 3A, the involvement of the Local Council is an integral component of the development assessment process. The development of Area 14, in accordance with Council's adopted Structure Plan, forms part of Council's strategic planning for the area, and is a significant urban release area for the Region.



In recognition of this, meetings have been held with Council on a regular basis. These meetings have discussed issues such as planning for provision of services, road network designs, village centre concepts, contributions and initiation of Voluntary Planning Agreement(s), ongoing bush regeneration works within the open space corridors, provision of sporting fields, and integration with adjoining development.

A formal presentation to Council's Administrator, then acting General Manager, and Directors, Managers and senior staff was held on 29th October 2008.

A handover to Council of the bulk of the site specific studies was undertaken on 13th November 2008. This included the Water Engineering and Environment report by Cardno. A site inspection for Council was held on 4th December, 2008.

The ongoing meetings with Council, in conjunction with other, as required meetings, have ensured that Council is well informed of the development proposals for Rainbow Beach. Council has subsequently provided a formal response.

3. Community Consultation

Whilst the preparation of the Area 14 Structure Plan involved a number of opportunities for community involvement, the preparation of this Environmental Assessment Report, has also involved meeting the community.

Both Lake Cathie and Bonny Hills have local Progress Associations. These two groups provided valuable assistance in ensuring the community were informed of an open public meeting held on 23rd September 2008. In addition, newspaper articles provided further notice for the community of the upcoming event.

In excess of 150 people attended the community meeting. At the meeting, a newsletter was handed out which provided further contact details for residents to seek further information, or provide comment.

It is also noted, that the comments made by the community representatives during the preparation of the Area 14 Structure Plan, have also been considered in the preparation of the Environmental Assessment Report.

4. Conclusion

The Consultation Process undertaken during the preparation of an Environmental Assessment Report, is only one component of the entire consultative process.

For Rainbow Beach, the consultations commenced with the Area 14 Structure Plan, some years ago. The development and adoption of the Structure Plan, has ensured that the community and Government Departments, are well informed of the future development of the subject land.

The provisions of Part 3A provide for a much longer time for consultation than a standard development application under the provisions of Part 4. The notification of the Rainbow Beach proposal has been on the Department of Planning website for approximately two years. Both residents and government departments will have further opportunity to provide comment during the public exhibition period.

Therefore, it is considered that consultation for this Environmental Assessment Report has had due regard to community and government comments to date, and any other matters raised during the public exhibition period will also be considered.



RECEIVED
- 3 DEC 2008
BY: _____

Ms Michelle Hollis
Luke and Company
98 Williams Street
PORT MACQUARIE NSW 2444

Our ref: DOC 08/58706

Dear Ms Hollis

**Request for Provision of Details of Key Issues and Assessment
Requirements – Concept Plan Rainbow Beach – MP 06_0085**

I refer to your letter dated 28 October 2008 requesting the Department of Education and Training's opinion on the key issues and assessment requirements regarding the Concept Plan for Rainbow Beach.

In 2003, Hastings Council consulted with the Department regarding the Lake Cathie – Bonny Hills Master Plan (also known as Area 14), of which Rainbow Beach comprises a significant component. As part of the Master Plan, Hastings Council proposed a Government primary school site in Ocean Drive opposite the intersection with Houston Mitchell Drive. The Master Plan covered a broader area than that covered by this Concept Plan for Rainbow Beach. In response to the draft Master Plan the Department endorsed, in principle, this primary school site identification in the overall plan. That advice remains current and is reconfirmed.

Primary school students from the Lake Cathie – Bonny Hills area are currently served by North Haven Public School.

It should be noted that there are two other Department-owned primary school sites in Lake Cathie and Bonny Hills that will be retained for the time being pending the longer term outcome of development in the area.

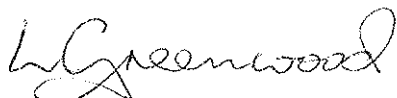
While there is insufficient justification to establish a new school in Area 14 at this time, the Department will continue to monitor enrolment, population and development trends within Lake Cathie, Bonny Hills, Rainbow Beach and the wider Area 14 precinct. Once development is more certain and imminent, the Department will review the school needs of the communities along with other priorities across the State when determining future capital works programs.

Attached is a copy of the Department's School Site Selection Guidelines that outlines the threshold levels and other criteria for determining school needs. Note that the Department's preference is to have the school site located on the

secondary or distributor road, as it will improve student safety and not impede traffic on the main road.

Should you require further advice please contact Shane Cridland, Demographer, Asset Planning on (02) 9561 8564 or email shane.cridland@det.nsw.edu.au .

Yours sincerely

A handwritten signature in cursive script that reads "L Greenwood".

Lesley Greenwood

Manager - Asset Management

27 November 2008

New South Wales Department Of Education And Training

REQUIREMENTS FOR NEW SCHOOL SITES

Requirements for new school sites as determined by the New South Wales Department of Education and Training are outlined below. These are only broad guidelines which may vary slightly with individual new developments.

1. *School Provision Thresholds - One primary school site per 2000-2500 new homes and one high school site per 6000-7500 new homes*

Consideration must be made with respect to:

- (a) possible diversion of some students in new areas to existing schools;
- (b) impact of existing or proposed non-government schools;
- (c) the type and speed of residential development;
- (d) the possible need for additional sites in large developments to cater for temporary enrolment peaks; and
- (e) the nature of the population.

2. *General Site Location Principles*

- (a) Primary school local catchment area should remain flexible over time.
- (b) The school should be located on a distributor or collector road (to alleviate noise and traffic problems).
- (c) As far as possible, a primary school should be within 1.6 km road distance of the bulk of its likely drawing area to minimise the demand for bus transport.
- (d) It is an advantage to locate a school adjacent to a community playing field.
- (e) Encourage opportunities for joint use of land, e.g. for child care and open space
- (f) High schools should be located away from commercial centres, especially where liquor outlets may be located.

3. *Specific Site Selection*

In general the following attributes are desired:

- (a) Primary school sites should be around 3 hectares in size, while 6.0 hectares is desirable for a high school.
- (b) Slope not greater than 1 in 10.
- (c) Site above the 1 in 100 year flood level and well drained.
- (d) Shape of the site should be substantially regular.
- (e) Site should be fully serviced with respect to water, sewer, power, telephone, kerb and gutter, footpath and sealed road.
- (f) Site should be free of possible restrictions to development, such as service and access easements (especially high tension electricity, mobile phone towers and drainage) through the site; free from environmental restraints and contamination.

The specific site should always be discussed with the Department of Education and Training's Asset Management Directorate personnel.

From: rik.whitehead@dpi.nsw.gov.au [mailto:rik.whitehead@dpi.nsw.gov.au]
Sent: Wednesday, 12 November 2008 8:44 AM
To: Michelle Hollis
Cc: marcus.riches@dpi.nsw.gov.au
Subject: Re: Consultation for Rainbow Beach

Dear Michelle

I refer to your recent email and letter of 28 Oct. 2008 requesting advice on any agricultural issues that need to be addressed above and beyond the DGRs issued by the Department of Planning.

There are no additional agricultural issues that this Department requires to be addressed. The DGRs requirements that include assessment of the compatibility of the proposed land uses with surrounding land uses and environments, and the requirement to assess the potential impacts on adjoining rural lands adequately cover the key agricultural issues of interest to NSW DPI. Contamination risk assessment is primarily a public and environmental health issue and therefore is generally not an issue that DPI advises on unless a former cattle tick dip site is involved. I understand that separate advice will be provided by the Fisheries branch of NSW DPI.

To assist in addressing the land use compatibility and interface issues, I refer you to the publication - Living and Working in Rural Areas: A handbook for managing land use conflict issues on the NSW North Coast (NSW DPI, 2007). The publication represents a whole of government package for addressing natural resource and rural conflict issues that arise with land use change and the carrying out of development and activities in rural areas. The publication is available for free download at - <http://www.dpi.nsw.gov.au/pubs/north-coast-land-use>. I can provide a hard copy of the publication if you require this.

Please contact me should you require any further information or advice.

Rik Whitehead
Resource Management Officer
NSW Department of Primary Industries
Wollongbar Agricultural Institute
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WOLLONGBAR NSW 2477

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**Extract from email received from Department Primary Industries, Fisheries.
Received 10 December 2008**

- The work undertaken by The Ecology Lab is useful and informs decision making.
- Separating with appropriately set sills Duchess Gully the water quality control ponds will reduce the incidence of fish migrating up into the water quality control ponds. Fish moving into these areas is undesirable because operation of the ponds is not always conducive to fish life. If they are not present in significant numbers there is less likelihood of significant fish kills. The proposed heights and the nature of the overflow for the existing pond is considered suitable. Just to ensure absolute clarity, different to DPI Fisheries normal position of providing fish passage, in this instance DPI Fisheries want to ensure appropriate barriers between water quality control ponds and the natural waterways.
- The water quality control ponds intersecting groundwater may reduce their effectiveness and require considered management to address this issue and avoid indirect impacts on aquatic habitats.
- DPI Fisheries is generally satisfied with the buffer between the development and aquatic habitats and acknowledge the buffer planting already underway.

To conclude, thank you for negotiating and providing further information to DPI Fisheries regarding the proposed development. The plans for the development avoid direct impacts on key fish habitats therefore unless there are substantial modifications to the proposal with regard the footprint or direct impacts on key fish habitat DPI Fisheries has no objection and requires no further engagement with this project.

Sincerely

Patrick Dwyer
Fisheries Conservation Manager (North)
Aquatic Habitat Protection Branch
1243 Bruxner Highway
WOLLONGBAR NSW 2477