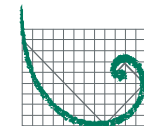


12 August 2010

Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Our Reference: 0043707L01MS.doc

Attention: Mark Schofield



ERM

Dear Mark,

**RE: RIVERSIDE AT TEA GARDENS RESIDENTIAL AND TOURIST
PROJECT - PROPOSED PART 3A CONCEPT PLAN**

1. INTRODUCTION

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

On 4 September 2008 the former Minister for Planning authorised, pursuant to Section 75M of the EP&A Act, that the Riverside at Tea Gardens site was a project to which Part 3A of the EP&A Act applies. The previous Concept Plan and Project Application for the site, which were lodged following the Minister's authorisation, were subsequently withdrawn given the concerns raised by the Planning Assessment Commission (PAC) and Department of Planning (DoP).

It is our client's intention to submit a new Concept Plan under Part 3A of the *EP&A Act* for the entire Riverside at Tea Gardens project. A location plan is attached at *Figure 1*. The new Concept Plan is attached at *Figures 2 and 3*. The form of the proposal has changed and now includes a biodiversity offset site approximately 2km to the north east adjoining the Myall National Park. The

relationship of the offset site is to the Riverside site can be seen in *Figure 3*. A description of the proposed development is provided in *Section 2*.

This submission has been prepared in response to the advice provided by Departmental officers on 4 August 2010 that the proponent should seek fresh confirmation pursuant to Clause 6 of the Major Projects State Environmental Planning Policy (SEPP) that further development of Riverside at Tea Gardens project would be considered to be a major project under Part 3A of the *EP&A Act*.

2. THE PROPOSAL

The Riverside at Tea Gardens site is located within the Great Lakes Local Government Area on the Mid North Coast and incorporates Lot 34 DP 270100, Lot 10 DP 270100, and Part Lot 1 DP 270100. The site is some 222.5 hectares in area and has approximately a one kilometre frontage to Myall Street and a two kilometre frontage to the Myall River.

A biodiversity offset area is also proposed adjoining the Myall National Park approximately 2 km north east of the site. The offset area is approximately 161 hectares and incorporates part of Lot 108 DP 740350 and part of Lot 2 DP 595233.

The proposed Riverside at Tea Gardens project incorporates residential and tourist development in addition to a range of ancillary uses as set out below.

Concept Plan Approval

Concept Plan approval is sought for the following:

- residential development which will include the potential to create 970 dwellings as indicated in the table below:

Development	Number of Dwellings
Residential (variety of lots)	905
Tourist Precinct - lodges	50
Tourist Precinct - houses	15
Total	970

- water sensitive urban design (WSUD) measures including the retention of the existing saltwater basin and single drain outlet to the Myall River, the creation of new freshwater detention ponds as well as new dry water management devices;
- a residentially zoned open space network comprising 58.5 hectares in total which provides for public recreation, stormwater management, a wildlife corridor, and clubhouses and community facilities;
- an 8.2 hectare tourist/recreational precinct (including a conference centre and accommodation) and a foreshore park of 5.6 hectares;
- substantial areas (approximately 39.6 hectares) of the Residential 2(f) zoned land are proposed to be protected and enhanced as open space / wildlife movement corridors, over and above those already protected within the Environmental Protection 7(a) and 7(b) zones (which comprise 28.4 and 20.6 hectares respectively);
- approximately 28.6 hectares of drainage reserves and large parks are also proposed;
- upgrading of intersections and associated road works and other construction works (such as cycleways) external to the site;
- access from Toonang Drive and Myall Street;
- an internal road network; and
- associated landscaping and infrastructure works.

CIV and Expected Employment

The estimated capital investment value (CIV) of the development is approximately \$73 million.

The expected employment generated by the project (full time equivalent excluding construction employment) is ten operational jobs. It is envisaged that the construction of the project will take place in stages over a 10 year period. During this period approximately 438 jobs will be created in the construction industry and related industries due to first round effects and a further 803 jobs due to the multiplier effect.

Key Changes

The current proposal differs from that previously lodged with the Department of Planning (DoP) in several key ways. The changes have been made to address concerns raised by the Planning Assessment Commission (PAC) and DoP. Key changes include the following:

- a 161 hectare biodiversity offset area is proposed adjoining the Myall National Park approximately 2km north east of the site;
- the proposed 4 hectare expansion of the existing commercial area has been removed from the Concept Plan;
- the former Precinct 1 which included 71 lots previously located in the south east portion of the site has been deleted and will now become part of the conservation area;
- residential lots have been moved from the north west portion (which will allow a larger open space corridor in this area) to the north east portion of the site. The overall number of lots has been reduced from approximately 1040 to 970;
- more 'dry' water management devices (not in contact with the groundwater table) are proposed and the number of detention ponds has been reduced. There will be no link between the saltwater and freshwater basins and the single existing outlet to the Myall River will not be upgraded or duplicated as previously proposed;
- a new Integrated Water Cycle Management Strategy has been prepared to ensure servicing of the development and has the support of MidCoast Water; and
- the Ecological reporting for the site has been completely redone by a newly appointed consultant.

3. CONCLUSION

It is requested that the Department provide confirmation that the proposed development of Riverside at Tea Gardens for residential and tourist development would be considered to be a major project under Clause 6 of the Major Projects State Environmental Planning Policy and that the Minister would be prepared to

accept an application under Part 3A of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* for a Concept Plan.

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

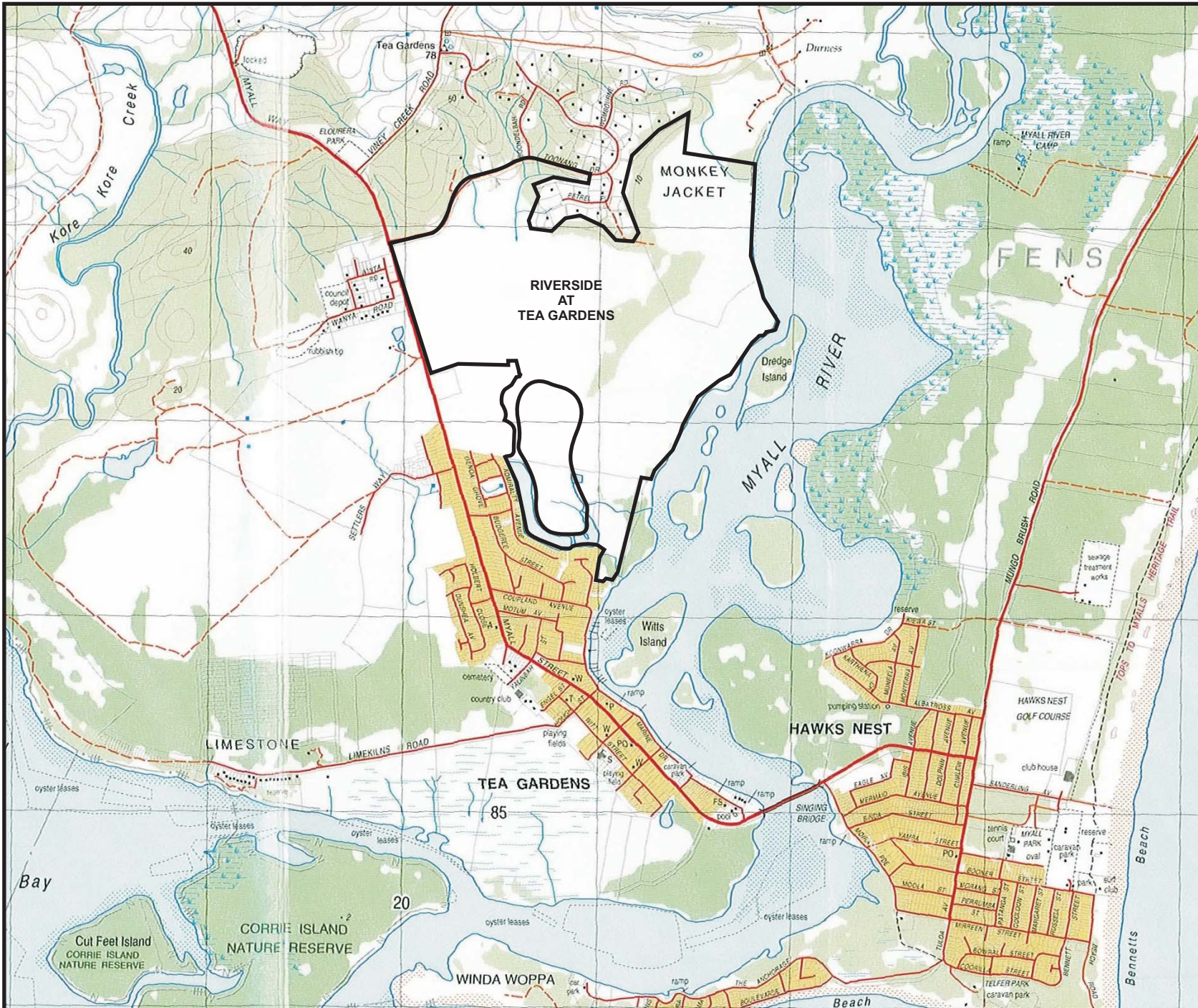
Yours sincerely,
for Environmental Resources Management Australia Pty Ltd

Handwritten signature of Andrew Biller in black ink, written in a cursive style.

Andrew Biller
Senior Planner

Handwritten signature of Steve O'Connor in black ink, written in a cursive style.

Steve O'Connor
Principal



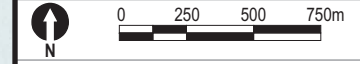
Legend
 [Thick black outline] Riverside at Tea Gardens Site Boundary

Source:
 1:25,000 Topo Series Port Stephens Sheet

Suffix	Revisions	Date	Init
R0	Preliminary Issue	12-08-10	JD

Figure 1
Locality Plan

Client: Crighton Properties Pty Ltd
 Project: Concept Plan 2010
 Preliminary Environmental Assessment
 Riverside at Tea Gardens
 Drawing No: 0043707h_CP10_PEA_C001_R0.cdr
 Date: 12/08/2010 Drawing size: A4
 Drawn by: JD Reviewed by: AB
 Scale: Refer to Scale Bar



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Environmental Resources Management Australia Pty Ltd
 53 Bonville Avenue, Thornton, NSW 2322
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Item	Description
1	Extent of concept plan area 'Riverside' at Tea Gardens.
2	Existing 7(a) wetland zone.
3	Existing 7(b) buffer zone.
4	Wildlife movement corridor.
5	Water management & open space corridors.
6	Community parks incorporating walking/cycle ways, BBQs, children's play area equipment.
7	Community pocket parks.
8	Myall foreshore park including structured and unstructured open space.
9	New fresh water, water quality management & detention ponds.
10	Existing detention and water quality lake.
11	New fresh water, water quality management & detention ponds.
12	Existing residential development.
13	Precinct community facilities.
14	Future precinct community facilities.
15	Site area currently owned by Great Lakes Council.
16	Separate medium density/commercial precinct (not part of this application-current waver issued by DoP.)
17	Tourist lodgings precinct.
18	Additional land proposed for conservation
19	Proposed residential lot development to be developed under community title.
20	Future development site.
21	Existing house.
22	DCP buffer.
23	Location of known midden & buffer.
24	Existing drain outlet to Myall River.
25	Existing drainage swale
26	Existing shopping centre/medium density approvals
27	Future connecting road

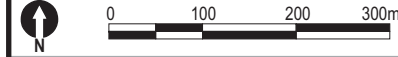
Land Use Legend		
Total Site	Ha	%
Open Space		
- Wetlands (zoned 7a)	28.4	12.8
- Buffer Zones (zoned 7b)	20.6	9.2
- Additional Conservation Buffer	12.3	5.5
- Wildlife Corridors	27.3	12.3
- Myall Foreshore Park	5.6	2.5
- Drainage Corridors, Ponds & Large Parks	28.6	12.9
- Pocket Parks	2.6	1.2
- Existing detention & water quality lake	6.7	3.0
Total	132.1 Ha	59.4%
Built Upon Area		
- Residential (including roads & community facilities)	77.2	34.7
- Tourist/Residential (Lodgings)	8.2	3.7
- Future Development Site	5.0	2.2
Total	90.4 Ha	40.6%
Total	222.5 Ha	100%

Source:
Crighton Properties R.C. -03 Rev K August 2010

Suffix	Revisions	Date	Init
R0	Preliminary Issue	12-08-10	JD

Figure 2
Concept Plan for Riverside at Tea Gardens

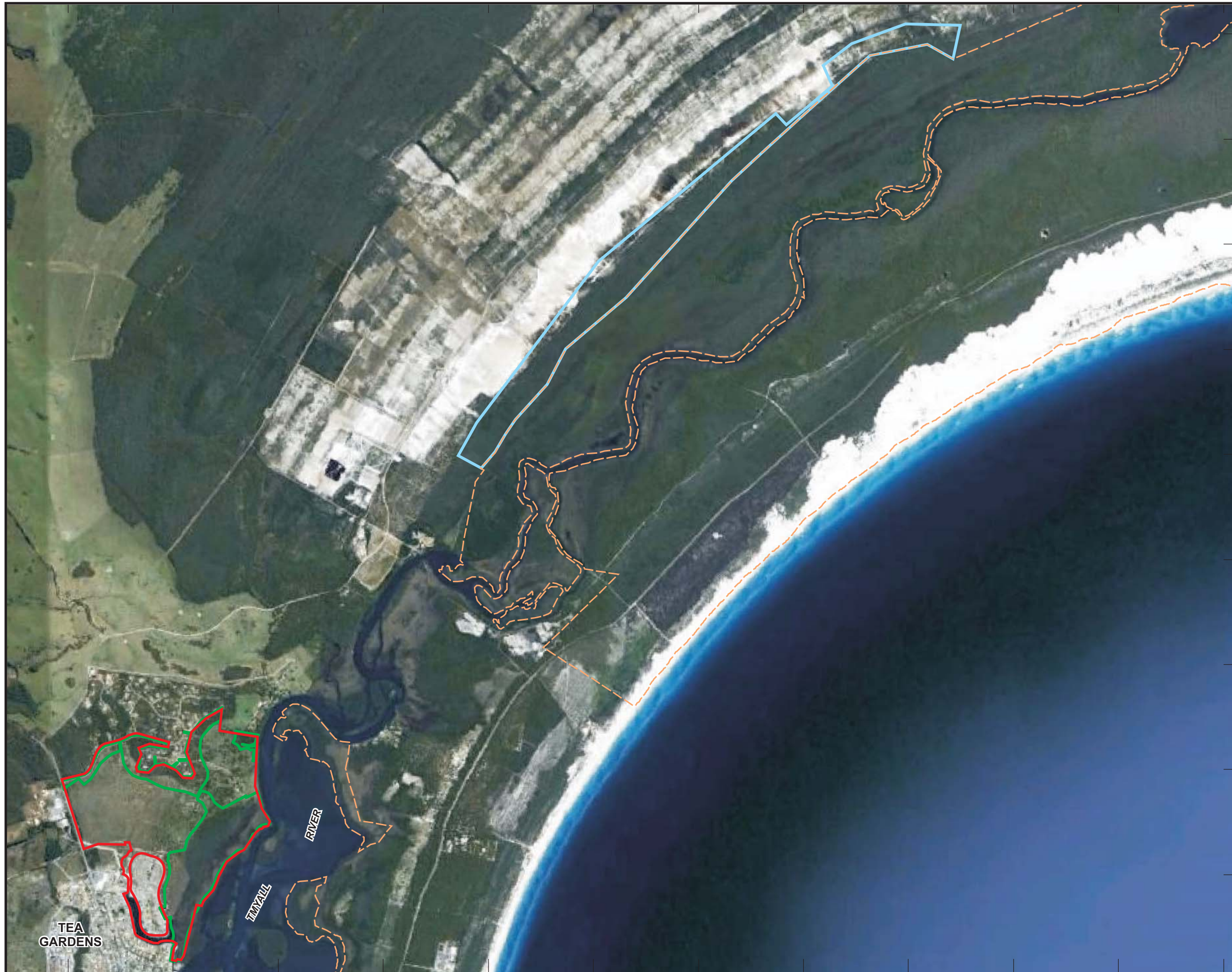
Client:	Crighton Properties Pty Ltd
Project:	Concept Plan 2010 Preliminary Environmental Assessment Riverside at Tea Gardens
Drawing No:	0043707h_CP10_PEA_C002_R0.cdr
Date:	12/08/2010
Drawing size:	A3
Drawn by:	JD
Reviewed by:	AB
Scale:	Refer to Scale Bar



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- Legend**
- ▬ Development Site
 - ▬ Riverside Conservation Area
 - ▬ Offset Area (Myall River Conservation Area)
 - - - Myall Lakes National Park

Source:
Crighton Properties

Suffix	Revisions	Date	Init
R0	Preliminary Issue	12-08-10	JD

Figure 3
Offset Area

Client:	Crighton Properties Pty Ltd		
Project:	Concept Plan 2010 Preliminary Environmental Assessment Riverside at Tea Gardens		
Drawing No:	0043707h_CP10_PEA_C002_R0.cdr		
Date:	12/08/2010	Drawing size:	A3
Drawn by:	JD	Reviewed by:	AB
Scale:	Refer to Scale Bar		



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