



Hunter-Central Rivers

CMA CATCHMENT MANAGEMENT AUTHORITY

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File: Letter to DoP re C&A Gwandalan.doc

Anna Johnston  
Strategic Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

Your Ref: MP10\_0084  
Our Ref: A486932

Dear Ms Johnston

**Subject: Coal & Allied Southern Estates – Gwandalan (MP 10\_0084)**

Thank you for your letter dated 16 November 2010 inviting submission on the proposed Concept Plan, listing as a State Significant Site under Schedule 3 of the State Environmental Planning Policy (Major Development) 2005 and draft Voluntary Planning Agreement (VPA) for the above proposal.

The Hunter-Central Rivers Catchment Management Authority (CMA) has reviewed the information that you have provided and has the following comments.

#### Offsets

The CMA acknowledges the significant area of conservation being offered by the proposal and understands it is consistent mostly with DECCW's principles for offsetting. However, the CMA would like confirmation that the proposal maintains or improves biodiversity value by using either the BioBanking or Environmental Outcomes Assessment Methodology (as used for PVPs) – this would align with Principle "No. 9 - Offsets must be quantifiable - the impacts and benefits must be reliably estimated."

#### Water Quality

Provision of further information regarding likely impacts and mitigation of these impacts on the water quality downstream from proposed development is required. Modelling should include details of increased run-off and associated nutrient and sediment loads and their impact on vegetation communities (including seagrasses) and the water quality of Lake Macquarie (Crangan Bay).

#### Infrastructure

The Statement of Commitments should indicate that lead in infrastructure is to be located outside proposed conservation areas and appropriate controls will be implemented in its construction (sediment and erosion controls, weed management etc). It should be noted that if the infrastructure is not a part of the Part 3A process, approval may be required under the Native Vegetation Act for its construction.

Cumulative Impact

An assessment is made of the cumulative impact on biodiversity of the proposed development and other development in the area, as per the Director General Requirements. The assessment provided only includes Coal & Allied land but needs to include Rose Property Group and Stockland developments.

Sea Level Rise

The foreshore setback should account for loss of foreshore due to sea level rise and increase the setback where necessary to ensure the proposed 100m setback is retained into 2100. This will also provide some retreat for vegetation communities affected by sea level rise. It is noted that the report indicates 100m setback (on average), however the plan in the draft VPA indicates approximately 80m. The CMA supports a 100m (plus predicted loss to sea level rise) setback and the VPA plans should be amended to reflect this.

Regional Planning

This development has been identified in the Draft North Wyong Shire Structure Plan as a long term development area. That is, residential development in this area is not expected to be required until after 2020. The draft strategy also indicates that the long term potential development areas will not be zoned as such until after the "medium term" areas have been addressed. This proposal to rezone the land now is contrary to the Department of Planning's sub-regional planning process and should be deferred to align with the strategic approach.

If you require any further information please do not hesitate to contact Anna Ferguson, the CMA's Regional Catchment Coordinator on 4337 1213.

Yours faithfully



Anna Ferguson  
for  
**Fiona Marshall**  
**General Manager**

17 December 2010