

15 APR 2008

Tattersall Surveyors Pty Ltd  
PO Box 54  
RAYMOND TERRACE NSW 2324

Our Reference: MP06-0010  
Your Reference: DH:PS  
Contact: Mr Dean Hartmann  
Telephone: 6591 7361

11 April 2008

ATTENTION: Bob Lander

Dear Bob

**Re: Riverside, Tea Gardens – Street Hierarchy Plans**

I write in response to the meeting between yourself, Council's Director Engineering Services - Mr Ron Hartley, Manager Transport Assets - Mr Greg Pitt and myself on 28 March 2008 in relation to the variations from Council's Design Specification of the proposed road hierarchy.

I advise that the road hierarchy plans submitted are adequate for further consideration, however it is imperative to note that any acceptance of the proposed road hierarchy is subject to inclusion of water sensitive urban design principles, which achieve no net increase in pollution and ensures the frequency of stormwater discharge from the site is consistent with current discharge frequency on average.

Yours faithfully



**DEAN HARTMANN**  
Engineering Development Officer

RECEIVED  
31 JUL 2008  
BY: \_\_\_\_\_

Mr Peter Childs  
Crighton Properties Pty Ltd  
PO Box 3369  
TUGGERAH NSW 2259

Our Reference:  
Your Reference:

DB:KK

Contact:  
Telephone:

David Bortfeld  
6591 7360

29 July 2008

Dear Peter

**Re: Access Requirements to Pony Club Site - Tea Gardens**

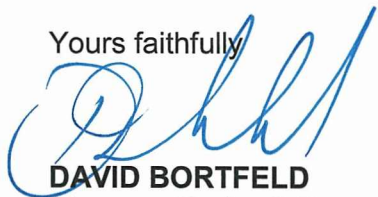
I refer to your letter received at Council on 3 June 2008 regarding the proposal to place a road on the boundary of the "Pony Club" site and your Riverside development.

Firstly please accept my apologies for the delay in responding, however your proposal has been the subject of discussion with other sections of Council.

Your most recent correspondence addresses Council's initial concerns however please note that any expenses incurred as a result of your proposal will have to be bourn by Creighton Properties Group Pty Ltd. Please keep in mind the area is zoned 2(f) and potential boundary adjustments will need to be documented. In addition, could you please advise me if this area is to be covered by "community title". If yes, then there are implications with regard to future responsibilities.

In the interim, should you require further information regarding this matter please contact me on 65917360.

Yours faithfully



**DAVID BORTFELD**  
Manager Parks & Recreation



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 Locked Bag 4000  
 Forster NSW 2428  
 Ph: (02) 6591 7543  
 Fax: (02) 6591 7555

23 April 2008  
 Ref: 178424

Tattersall Surveyors  
 PO Box 54  
 Raymond Terrace NSW 2324

Attn: Mr Bob Lander

**RE: RIVERSIDE DEVELOPMENT – TEA GARDENS**

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Dear Bob,

In reply to your email of 21 April 2008 regarding a MidCoast Water response to the “issues paper” and “adequacy test” applied by the Department of Planning for the Riverside Application at Tea Gardens. MidCoast Water makes the following comments:

MidCoast Water requires the preparation of Water Supply & Sewerage Strategies to demonstrate how the proposed development can be provided with reticulated water and sewer services in accordance with our requirements, these strategies are to nominate any required extensions or upgrades to MidCoast Water infrastructure. In the absence of such strategies, MidCoast Water can only confirm that the Riverside development is proposed on land identified as future service area within our current servicing strategies.

As detailed in the MidCoast Water Sewerage Servicing Strategy (January 2003) the Hawks Nest Waste Water Treatment Plant (WWTP) is upgradeable to 16,000 Equivalent Population (EP) for the ultimate development of Tea Gardens/Hawks Nest, including North Hawks Nest. The ultimate development case includes an allocation of 960 Equivalent Tenements (ET) for the Riverside (Myall Quays) development. The ultimate loads from infill development within Tea Gardens/Hawks Nest as well as the known future growth areas were allocated within this existing strategy and are summarised below, note that the existing strategy does not include the connection of the North Port Stevens villages. Refer Doc: EKA-061/7, Appendix A: Table A2 for full details of load allocations.

|                         | Existing Peak Load (2003) |             | Fully Developed Peak Load |              |
|-------------------------|---------------------------|-------------|---------------------------|--------------|
|                         | ET                        | EP          | ET                        | EP           |
| Hawks Nest              | 1292                      | 4245        | 1558                      | 5724         |
| Tea Gardens             | 862                       | 2444        | 1174                      | 3830         |
| North Hawks Nest        | 0                         |             | 400                       | 1000         |
| Myall Quays (Riverside) | 0                         |             | 960                       | 2592         |
| Myall River Downs       | 0                         |             | 800                       | 2160         |
| Shearwater & Industrial | 0                         |             | 320                       | 672          |
| <b>TOTALS</b>           | <b>2154</b>               | <b>6689</b> | <b>5212</b>               | <b>15978</b> |



Under the existing Sewerage Servicing Strategy, MidCoast Water can only confirm that there is sufficient capacity in the Hawks Nest WWTP to cater for up to 960 ET within the Riverside development. The Equivalent Tenement allocation includes commercial & non-residential components in the total allocation.

MidCoast Water requires the preparation of an Integrated Water Cycle Management plan (IWCM) for the site. This plan would consider the water cycle and identify appropriate measures and end uses for the water resources available. One of the areas expected to be investigated is the use of reticulated recycled water for non-potable uses within residential premises. This investigation may identify alternate sources for effluent disposal that could relieve pressures on the WWTP and yield additional capacity within the WWTP. In the absence of an accepted IWCM, MidCoast Water is unable to make any comment "as to whether services for the use of reclaimed water will be provided".

Please contact me should you have any questions or to discuss the progression of an Integrated Water Cycle Management plan for the proposed development.

Yours faithfully



**DAVID MCKELLAR**  
Development Engineer

Meeting  
Minutes

Building C, 33 Saunders St  
Pymont NSW 2009  
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**Subject/Job Number** 0043707MM290310

**Venue** Department of Environment, Climate Change and Water (DECCW), State Office Building Newcastle

**Date of Meeting** 29/03/10

**Present** Peter Childs (Crighton Properties), Steve O'Connor (ERM), Katrina Wolf and David Robertson (Cumberland Ecology), Peter Jamieson and Steve Lewer (DECCW)



**Distribution** Steve Lewer, Peter Jamieson, David Robertson, Alan Bright, Mark Schofield and Peter Childs

**Date** 6/04/10

| Item | Description   | Action By/Date  |
|------|---|---|
| 1.   | <p>DR explained that the Riverside site had been the subject of a major ecological field mapping exercise so that BioBanking calculations could be undertaken. He stressed that there was no intention of going down the BioBanking path, but rather the methodology was seen as providing a useful reference point to assess the biodiversity values of the site.</p> <p>SL has an electronic and hard copy of the draft Vegetation Mapping report and the draft BioBanking Assessment report and would like copies of the appropriate BioBanking calculator files (eg) EML files. His initial comments were that while he was happy with the structure of the reports he recommended the inclusion of more methodology/ results outputs. SL was pleased with the process that had been followed and noted that the communities appeared to more accurately represent those present on the subject site.</p> | <p>KW to provide SL with copies of the EML files.</p> <p>DR to incorporate more on the methodology followed and results obtained when finalising these two reports.</p> |
| 2.   | <p>DR explained that although additional fieldwork had been undertaken no new threatened species had been identified. He also indicated that as there is no development proposed in the wetland areas of the site the work Geoff Winning had previously undertaken had not been independently verified. SL indicated that DECCW had provided comments on the Environmental Assessment (EA) which highlighted certain flora and fauna species to be targeted. These species should be the subject of further survey or alternatively justification needs to be provided why further surveys are not necessary.</p>   | <p>DR to review DECCW's comments on the EA to ascertain if additional surveys are required.</p>   |
| 3.   | <p>PC noted that while the development footprint had been reduced to take account of the findings of the work Cumberland Ecology (CE) had undertaken, it had not been reduced to the extent that the majority Planning</p>  | <p>Noted</p>  |

| Item | Description   | Action By/Date   |
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|      | Assessment Commission (PAC) report had recommended. The reason for this was that Crighton Properties (CP) are now investigating the potential to acquire a site in close proximity to the Riverside site which could be an offsite offset for biodiversity loss on the Riverside site.  |  |
| 4.   | KW explained that approximately one fifth of the credits required could be provided on the Riverside site, however the balance would have to be sought off site.  | Noted  |
| 5.   | PC referred to the preliminary assessment report Cumberland Ecology had prepared which had been provided in electronic format to DECCW last week. The site adjoins a coast strip of the Myall River National Park and has similar biodiversity values to the Riverside site. PJ will refer this site to the Parks Section within DECCW to see if they have any interest in having this site added to the National Park, once PC provides confirmation that the site can be acquired by CP.  | PJ to seek feedback from the Parks Section of DECCW in relation to potential of the offset area  |
| 6.   | PJ raised the need to consider the regional corridor identified by DECCW in the area north of Port Stephens and demonstrate how it can be accommodated taking into account the proposed Riverside development. He also raised the issue of the endangered koala population in the Tea Gardens/ Hawks Nest area. SL suggested that DR consider the previous advice provided by DECCW in the preparing the Environmental Assessment.  | CE to review the implications of the Regional Corridor and the threatened koala population   |
| 7.   | <p>It was agreed that the appropriate course of action from here would be as follows;</p> <ol style="list-style-type: none"> <li>1. DR to ensure that DECCW has all appropriate BioBanking files to enable adequate assessment.</li> <li>2. DR to prepare draft revised Environmental Assessment (EA) considering impacts on site;</li> <li>3. DR to prepare draft report considering biodiversity values of potential offset site in relation to development site;</li> <li>4. Above reports to be submitted to DECCW for consideration for 2-3 weeks prior to any meeting taking place; and</li> <li>5. A third meeting to be held following consideration by DECCW (also attended by NPWS representative) to consider entirety of proposal and potential delivery of an offset mechanism - prior to final lodgement with DoP.</li> </ol> | DR to ensure DECCW has all Biobanking files, prepare a revised EA, prepare a draft report assessing biodiversity values of potential offset site and deliver draft reports to DECCW 2-3 weeks prior to the next meeting. |
| 8.   | It was agreed that it would be advantageous for agreement on all issues to  | Noted  |

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**Subject/Job Number** 0043707 Riverside Concept Plan

**Venue** Department of Planning, Bridge Street, Sydney

**Date of Meeting** 04/08/10

**Present** Mark Schofield (DoP), Dr Peter Nelson (DoP)  
John Phillpot (DoP), Steve O'Connor (ERM),  
Andrew Biller (ERM), David Nicholson (ERM)  
Peter Childs (Crighton Properties)

Telephone: 61 2 8584-8888  
Facsimile: 61 2 8584-8800



**Distribution** Mark Schofield, Peter Childs, John Phillpot, Peter Nelson

**Date** 05/08/10

| Item | Description   | Action By/Date |
|------|---|----------------|
| 1.   | <p>Overview of Project</p> <p>Peter Childs gave an update on what has taken place since the previous application was withdrawn. The key issues raised by the Planning Assessment Commission (PAC) were:</p> <p>Ecology</p> <p>Water Management</p> <p>Site Servicing</p> <p><b>Ecology</b></p> <p>New ecology consultants (Cumberland Ecology) have been engaged. They have revised the vegetation mapping for the site and undertaken a detailed ecological assessment of the site and the proposed offset area. Cumberland Ecology has been liaising with the Department of Environment Climate Change and Water (DECCW) as their work has progressed. DECCW have indicated that they are comfortable with the methodology being used. DECCW are in receipt of the latest reports from Cumberland Ecology. It is hoped to receive their agreement in principle shortly. The new proposal involves a reduction in development upon the site, an increase in on site conservation areas, and a sizable offsite conservation area is proposed.</p> <p><b>Water Management</b></p> <p>Crighton Properties and its consultants have been liaising with the NSW</p> | Noted          |

| Item | Description   | Action By/Date |
|------|---|----------------|
|      | <p>Office of Water (NoW) and DECCW and have made significant progress. NoW have issued formal advice that it requires that any water coming into contact with the groundwater table should meet or better background water quality standards prior to contact. The water management proposal for the site has been revisited following further work by Martens and Associates. More dry primary water management facilities are proposed particularly toward the upper end of the site catchment and the number of secondary treatment ponds reduced. NO extension of the existing lake system is now proposed, additionally there will be no interaction between the saltwater and freshwater basins and the single existing drain outlet to the Myall River will be left as is, no new connection is proposed to the Myall River.</p> <p><b>Site Servicing</b></p> <p>A new Integrated Water Cycle Management Strategy to ensure servicing of the development has been prepared. This has been prepared in consultation with of MidCoast Water who are currently advancing toward implementing the strategy which will ultimately be registered for BASIX compliance.</p> <p>Crighton's consultants are committed to the use of treated effluent upon the site via a third pipe reticulation system – this is the basis of the Midcoast Strategy.</p> <p><b>Additional Issues</b></p> <p>The site layout has been amended with Precinct 1 (71 lots) in the south east corner now deleted. This will become part of the conservation area. Residential lots have also been moved from the north west corner (which will allow a larger open space corridor in this area) to the north east corner – which better aligns with Councils intentions for urban development upon the adjoining North Shearwater property. The overall number of lots has been reduced from approximately 1045 to 970.</p> <p>DoP are in receipt of tables detailing how the key issues previously raised by PAC and the Department of Planning (DoP) are being addressed.</p> |                |
| 2.   | <p>Offset site</p> <p>David Nicholson explained that the Cumberland Ecology report had applied the Avoid, Mitigate, Offset methodology. Since the last application was made, the concept plan has been amended to reduce the development footprint by 6.4 Ha and increase the conservation area by the same amount – this resulted from the revised vegetation mapping highlighting this area as worthy of conservation. The footprint of the development is approx 95 ha. On site mitigation would include the retention of habitat and the revegetation of areas (approx 97 ha) as well as the ongoing management of the open space and conservation areas through a Community Title</p>  | Noted          |



| Item | Description  | Action By/Date                                    |
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|      | <p>arrangement.</p> <p>Additional compensation is proposed by way of a 161 ha offset area adjoining the Myall National Park approximately 2km north east of the site. The ecological value of this land and what is proposed to be developed has been examined using the BioBanking methodology. While there is a credit shortfall, there is the potential to ensure the management of the offset area in perpetuity should DECCW agree to the offset. It should be noted that the land is currently at threat of being cleared having been approved for the purpose of pine forestation.</p>  |   |
| 3.   | <p><b>New PEA and Concept Plan approval</b></p> <p>DoP suggested that the applicant write to the Minister, requesting him to declare the project as being subject to Part 3A of the EP&amp;A Act. The Concept Plan will now include the offset area.</p> <p>It is proposed to lodge a Concept Plan without a Project Application. It is envisaged that once the Concept Plan has been approved by the Minister, the Provisions of Part 3A as they apply to the site would be turned off ie future development applications would be assessed by Council under Part 4 , provided they are consistent with the approved Concept Plan</p> <p>ERM to continue preparing Preliminary Environmental Assessment (PEA). It is envisaged that PEA will be lodged with DoP once DECCW have indicated agreement in principle to work done by Cumberland Ecology and the offset area</p> | ERM to submit request to prepare a Concept Plan.. |

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**Subject/Job Number** 0043707 Riverside Concept Plan

**Venue** Department of Environment Climate Change and  
Water Bull Street Newcastle

**Date of Meeting** 22/09/10

**Present** Peter Jamieson (DECCW), Rob Gibson (DECCW),  
Peter Childs (Crighton Properties), David  
Robertson (Cumberland Ecology), Katrina Wolf  
(Cumberland Ecology)

Telephone: 61 2 8584-8888  
Facsimile: 61 2 8584-8800



**Distribution** Peter Jamieson, Peter Childs, David Robertson

**Date** 22/09/10

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| Item | Description   | Action By/Date |
|------|---|----------------|
| 1.   | <p>Introduction</p> <p>Peter Jamieson advised that Department of Environment Climate Change and Water (DECCW) had received the Preliminary Environmental Assessment (PEA), Draft Director General's Requirements and the revised Minister's Declaration from the Department of Planning (DoP). DoP were looking for a response by 1 October 2010.</p>   | Noted          |
| 2.   | <p>Overview of Project</p> <p>Peter Childs gave an update on how the development footprint has changed in response to concerns raised by the Planning Assessment Commission (PAC), Government agencies and the Department of Planning (DoP) as well as revised vegetation mapping.</p> <p>Cumberland Ecology have revised the vegetation mapping for the site in light of comments from the PAC and undertaken a detailed ecological assessment of the site and the proposed offset area. Cumberland Ecology have applied the Avoid, Mitigate, Offset methodology but it is acknowledged that habitat will be lost across parts of the site as a result of the development. Cumberland Ecology has been liaising with the Department of Environment Climate Change and Water (DECCW) as their work has progressed.</p> <p>Precinct 1 which included 71 lots previously located in the south east portion of the site has been deleted and will now form part of the</p> |                |

| Item | Description   | Action By/Date |
|------|---|----------------|
|      | <p>conservation area. The revised footprint also allows for a wider open space corridor close to the north west corner of the site and additional residential lots are proposed in the north east corner to interface with the adjoining North Shearwater development, which will also be serviced through the Riverside site. The new footprint includes a reduction in development upon the site, an increase in on site conservation areas, and a sizable offsite conservation area (161ha) adjoining the Myall National Park approximately two kilometres north east of the site. A significant portion of the offsite conservation area is Swamp Sclerophyll Floodplain Forest which is similar to that being impacted by the proposed development. The offsite conservation area is currently approved to be cleared for pine forestation.</p> <p>More dry primary water management facilities are proposed particularly toward the upper end of the site catchment and the number of secondary treatment ponds reduced.</p>  |                |
| 3    | <p>DECCW Views</p> <p>Peter Jamieson advised that the PAC mapped an approximate footprint for development on the site and that DECCW believe this should be used as a starting point. While Precinct 1 had been deleted, DECCW did not consider this a significant reduction and the current footprint still extended beyond that developed by the PAC based on the information they had at the time. There is still a significant shortfall based on the current footprint in terms of biobanking credit methodology. Much of the site falls within a regional habitat corridor which is an added constraint.</p> <p>DECCW have been in touch with National Parks and Wildlife Service (NPWS) to get their views regarding the proposed offset area. The Myall National Park area is affected by pine trees which NPWS believe would also be present in the adjoining offset area. Endangered Ecological Communities (EECs) are also well represented in the National Park and it is therefore unlikely that NPWS would have any interest in acquiring the offset area.</p> <p>DECCW also question whether the open space and wildlife corridor areas around the site could be adequately managed through the proposed community association structure. A preferred solution would be to dedicate the land to council.</p> | Noted          |

| Item | Description  | Action By/Date |
|------|--|----------------|
| 1.   | <p data-bbox="296 271 555 300">General Discussion</p> <p data-bbox="296 338 1302 757">Peter Childs detailed that the current community association has a funding mechanism (through community levies) in place to ensure the proper management of open space and wildlife corridor areas. The community association has an interest in complying with community by-laws since these are enforceable through the Sherriff. The Riverside Community Association has been operating for 9 years and is the largest in New South Wales, having 320 members. As the association grows with the development of Riverside, it was likely that the level of accountability would increase. It could also be possible for DECCW or Council to be part of the community association in the future to ensure that open space and wildlife corridors are properly managed and maintained.</p> <p data-bbox="296 795 1302 1093">David Robertson pointed out that the approximate area mapped by the PAC was based on vegetation mapping which was known to be inadequate and there was previously no off set site. The quality of the EECs on site is variable and the development of the land involves a balancing act under Part 3A of the EP&amp;A Act in terms of weighing up economic, social and environmental impacts. While there was a shortfall in biobanking credits, the biobanking requirements may change as a result of the current biobanking review.</p> |                |



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**Subject/Job Number** 0043707 Riverside Concept Plan

**Venue** Department of Planning, Bridge Street, Sydney

**Date of Meeting** 29/11/10

**Present** Mark Schofield (DoP), John Phillpott (DoP), Steve O'Connor (ERM), David Robertson (Cumberland Ecology), Peter Childs (Crighton Properties).

Telephone: 61 2 8584-8888  
Facsimile: 61 2 8584-8800



**Distribution** Mark Schofield, Peter Childs, John Phillpott, David Robertson

**Date** 30/11/10

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| Item | Description   | Action By/Date |
|------|---|----------------|
| 1.   | <p><b>Overview of Project</b></p> <p>Steve O'Connor gave an update on what has taken place since the previous meeting with DoP on 4 August 2010. The key issues addressed in the Environmental Assessment recently submitted for Adequacy Review are those raised by the Planning Assessment Commission (PAC), namely:</p> <p>Ecology</p> <p>Water Management</p> <p>Site Servicing</p> <p><b>Ecology</b></p> <p>Cumberland Ecology have completed revised vegetation mapping for the site and undertaken a detailed ecological assessment of the site and the proposed offset area. Cumberland Ecology have meet with representatives of the Department of Environment Climate Change and Water (DECCW) at Newcastle on several occasions and DECCW have provided verbal feedback. While the initial response is that National Parks and Wildlife Service (NPWS) are not interested in having the offset area added to the Myall National Park, it is hoped that further discussions with NPWS will ultimately see this land dedicated. However, it was emphasised that the proposed offset can be owned and managed by the Community Association (CA) so the project is not dependent on NPWS taking ownership of this land. If necessary the CA will finance the works required to achieve long term ecological management of the offset site.</p> | Noted          |

| Item | Description   | Action By/Date  |
|------|---|---|
|      | <p><b>Water Management</b></p> <p>A briefing has been offered to the NSW Office of Water (NoW), but NoW have indicated that they are comfortable with the agreements reached in relation to Myall River Downs and Riverside where it is proposed that any water coming into contact with the groundwater table should meet or better background water quality standards prior to contact. The water management proposal for the site has been revised by Martens and Associates in accordance with NoW guidelines. More dry primary water management facilities are proposed particularly toward the upper end of the site catchment and the number of secondary treatment ponds reduced. NO extension of the existing lake system is now proposed, additionally there will be no interaction between the saltwater and freshwater basins and the single existing drain outlet to the Myall River will be left as is, no new connection is proposed to the Myall River.</p> <p><b>Site Servicing</b></p> <p>An Integrated Water Cycle Management Strategy has been prepared by Worley Parsons and submitted to MidCoast Water who have indicated that they are happy with the Strategy. MidCoast Water have given an undertaking to issue a letter confirming their support during the exhibition period.</p> <p><b>Other Issues</b></p> <p>Peter Childs pointed out that the EA contains a table identifying all the issues raised by PAC and the Department of Planning (DoP) and indicating where in the EA these issues are addressed. He also referred to the measures taken to adapt the project to the worst case scenario for sea level rise under Climate Change, the minimum floor levels proposed to be set for all habitable buildings, the extent of filling proposed on site, the status of Voluntary Planning Agreement (VPA) discussions with Great Lakes Council and the current situation regarding changing the requirements applying to the site under Community Title legislation.</p> |   |
| 2.   | <p><b>Offset site</b></p> <p>David Robertson explained that while the credits required calculated using the BioBanking Calculator were not totally satisfied by the offset site, it was a large site (161 ha) approximately 2 km to the north of the Riverside site which had many of the vegetation communities and local fauna species found on the Riverside Site. David referred to the review of the BioBanking methodology currently being undertaken by DECCW and agreed to provide a briefing note which indicates how the BioBanking Calculator may be revised and how this could impact on the Riverside offset package proposed in the EA. It should be noted that the land is currently at threat of being cleared having been approved for the purpose of pine forestation.</p>  | David Robertson to provide DoP with a Briefing Note on the BioBanking Review and implications for Riverside by 30 November 2010 |

| Item | Description  | Action By/Date  |
|------|--|---|
| 3.   | <p><b>Actions and Issues Arising</b></p> <p>Steve O'Connor asked DoP to review whether the DGRs should reflect the offset site as part of the application and likewise whether the EA should be amended in a similar fashion. He also asked if DoP could review whether the constantly changing property description needed to be dealt with in any particular way in the EA and accompanying documentation.</p> <p>Peter Childs asked how quickly the Adequacy Review could be completed as there was an urgent need to get the EA on public exhibition. Mark Schofield said that the EA had been referred to DECCW and NoW soon after it was lodged on 18 November 2010 and that he expected to complete the review in the next 10 days. He agreed to check on whether the EA could be placed on exhibition in December as there was a cut off period in December after which any advertising was delayed until the New Year.</p> <p>Peter Childs explained how Tea Gardens and Hawks Nest swelled to three times their permanent population during Summer holidays and that it would be advantageous to have the EA on exhibition during the vacation period even if this meant that the period needed to be extended for several weeks. Mark Schofield agreed to review the timings and confirm what might be possible.</p> <p>Steve O'Connor handed a CD of the EA to John Phillipott who asked for another two CDs to be send to DECCW to speed up the review process.</p> | <p>DoP to advise on property description issues raised and likely timing of public exhibition of EA</p> <p>ERM to provide two CDs of the EA to be sent to DECCW</p> |

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**Subject/Job Number** 0043707 Riverside Concept Plan

**Venue** Department of Planning, Bridge Street, Sydney

**Date of Meeting** 12/01/11

**Present** Mark Schofield (DoP), John Phillpott (DoP), Steve O'Connor (ERM), Peter Childs (Crighton Properties).

**Distribution** Mark Schofield, Peter Childs, John Phillpott, David Robertson

**Date** 18/01/11

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Facsimile: 61 2 8584-8800



| Item | Description   | Action By/Date   |
|------|---|--|
| 1.   | <p><b>Overview of Adequacy Review</b></p> <p>Mark confirmed that DECCW and NOW were the only two agencies who were consulted during the adequacy review undertaken by DoP. John will provide a written summary of the key reasons why the Environmental Assessment (EA) failed the adequacy review by Friday 21 January. This correspondence will also cover the issue of the fees associated with this Concept Plan application.</p> <p>Mark emphasised the view DoP holds that adequacy is a matter for DoP to consider and that the PAC may be involved in any merit assessment at a later stage.</p> <p>John explained that the two page summary in the EA documenting the reasons for a variation in the development footprint compared to the PAC recommendation was inadequate and that this issue deserved much more attention. In terms of presentation he prefers text compared to information in tables and suggested that if figures are referred to they need to be reproduced close to the text and not incorporated in other chapters in the EA or in specialist reports in other volumes.</p> | <p>John to provide written response outlining key reasons for EA failing adequacy review by 21/01/11</p>         |
| 2.   | <p><b>Justification of Development Footprint</b></p> <p>Peter referred to the original constraints mapping for the site and in particular the ecological constraints and explained how this information informed the identification of the development footprint in the PAC majority report. He also referred to the additional survey work undertaken by Cumberland Ecology to explain how the current development footprint was derived.</p>  | <p>Mark to send details of DoP's views on the issue of EEC identification and the importance of soil type by</p> |



| Item | Description  | Action By/Date |
|------|--|----------------|
|      | <p>Peter emphasised that the approach adopted by Cumberland Ecology in identifying EEC was very conservative as much of the EEC identified on site does not have the appropriate soil type as defined by the Scientific Committee. This issue has been the subject of several decisions by the Land and Environment Court which Mark was aware of. Mark agreed to provide some details setting out the DoP's views on this issue.</p> <p>Mark also made it clear that if the project was amended to be consistent with the PAC development footprint, the DoP would be likely to be able to process the Concept Plan in a relatively short time period.</p>  | 21/01/11       |
| 3.   | <p><b>Proposed Biodiversity Offset</b></p> <p>The benefits of the proposed offset package were discussed given that the parcel of land to the north of the site which forms the offsite component of the offset package adjoins the Myall National Park and currently acts as a buffer to the National Park. The land contains pine trees which have approval to be harvested and as a result the site will be cleared and no longer perform the role of providing an effective buffer to the National Park. Steve explained that while the site may not become part of the National Park it could be managed in a manner that reinforces its role as a buffer to the National Park. The cost of this management is proposed to be met by the Community Association so there would be no cost burden to DECCW or any other government agency or Council.</p> <p>Mark confirmed that if a revised EA was submitted responding to the feedback on the results of the adequacy review, it would not be referred to DECCW and NOW as DoP now has feedback from these agencies.</p> | Noted          |

**Meeting  
Minutes**

Building C, 33 Saunders St  
Pymont NSW 2009  
AUSTRALIA  
Locked Bag 24  
Broadway NSW 2007  
AUSTRALIA  
www.erm.com

**Subject/Job Number** 0043707MM120112

**Venue** Bridge Street office of DP&I, Sydney

**Date of Meeting** 12/01/12

**Present** Peter Childs and Geoff Cox (Crighton Properties),  
Steve O'Connor (ERM), Stuart Worthington, and  
Tom Fitzgerald (DP&I)

Telephone: 61 2 8584-8888  
Facsimile: 61 2 8584-8800

**Distribution** Tom Fitzgerald, Stuart Worthington and Peter  
Childs



**Date** 16/01/12

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| Item | Description  | Action By/Date |
|------|--|----------------|
| 1.   | <p>Peter and Steve distributed hard copies and CDs of the Environmental Assessment (EA) for Riverside and key supporting documentation relating to ecological and hydrological issues as well as two sets of A3 plans of the Riverside Project.</p> <p>Peter explained the work which Cumberland Ecology and GHD had undertaken in terms of the ecological values of the Riverside site and how the BioBanking methodology had been applied to the site to assess the credits required to offset biodiversity impacts.</p> <p>Peter stressed that only 3.1 ha of EEC would be directly impacted by the proposed development and explained the onsite and offsite offset compensation package which had been developed in recognition of this and other impacts.</p> <p>Stuart said that the briefing Daniel Williams from GHD had provided was very useful in understanding why development proposed outside the PAC footprint may be justified.</p> <p>Geoff referred to the financial impact of BioBanking offsetting at a ratio of 4:1 which was significantly impacting the viability of projects. Peter referred to the staged approach recommended by GHD which proposes that onsite offsets would be adequate for stages 1 to 4 of the project, but thereafter offsite offsets would have to be secured before stages beyond stage 4 could proceed.</p> <p>Stuart indicated that something like that proposed was likely to be acceptable to DP&amp;I as the Department was aware of the need for offset packages to be funded in a staged manner in line with the rate at which development takes place.</p> | Noted          |

| Item | Description   | Action By/Date   |
|------|---|--|
| 2.   | <p>Peter outlined how the water management system had been amended so that minimal contact was now made between water treatment devices and the groundwater on site. This will involve lining some basins and ensuring where there is direct contact with the groundwater. Where there is contact then the treatment train is such that the level of treatment of stormwater is equal to or better than that of the groundwater.</p> <p>The minimum outlet for stormwater pipes has been lifted 900mm above RL 0.5m AHD which is Council's current requirement to allow for the potential impacts of sea level rise. This will ensure that saltwater does not enter the stormwater system during high tide or storm events.</p> <p>Any impacts on groundwater in the vicinity of the SEPP 14 Wetlands adjoining the Myall River are predicted to be within the normal seasonal variations currently experienced.</p> <p>All these findings are documented in the updated Cardno report which has been rewritten in line with the request from NOW. This has involved removing the discussion about the various stormwater treat train options considered prior to selecting the preferred approach. The Cardno report is supported by several appendices which include the Martens Groundwater Report, the Worley Parsons Integrated Water Cycle Management Strategy and Sewer Servicing Plan and other specialist reports.</p> | Noted  |
| 3.   | <p>Steve explained that the legal advice Crighton Properties had sought had confirmed that an Environmental Protection Licence (EPL) was not required for the earthworks proposed at Riverside. Rather the successful contractor will be required to have the appropriate mobile plant licences.</p>  | Noted  |
| 4.   | <p>Steve outlined the changes made to the format of the EA to make it a stand alone document as required by DP&amp;I. This has included adding additional chapters and expanding sections of the EA which previously relied on the reader referring to the technical studies in Volumes which support the EA.</p>   | Noted  |
| 5.   | <p>Stuart requested an updated CIV so that the fees can be calculated. Tom explained that the legal advice he had received had indicated that the Department has discretion and need not charge the maximum fee. Peter indicated that given the previous fees which had been paid he hoped the Department would take this into consideration in calculating the fees.</p> <p>Geoff indicated that any feedback on the EA would be welcome.</p>  | Crighton Properties to provide an updated CIV so the fees payable can be calculated. |

| <b>Item</b> | <b>Description</b>  | <b>Action By/Date</b>  |
|-------------|---|--|
| 6.          | Stuart stated that it should take 7 to 10 days for a review of the documentation to be completed and a decision made whether the EA was ready to be placed on public exhibition. If the exhibition period commences prior to 1 February it will be extended to the end of February. | DP&I to complete their review of the EA with a view to it going on public exhibition by 1 February 2012. |
| 7.          | Geoff indicated that any feedback on the EA would be welcome.   | Noted  |