



NSW GOVERNMENT
Department of Planning

COPY

Contact: Alix Carpenter
Phone: (02) 9228 6313
Fax: (02) 9228 6366
Email: Alix.Carpenter@planning.nsw.gov.au

Our ref: 9040984-1

Mr Richard Van Dorp
Richard Van Dorp Architects Pty Ltd
PO Box 187
GRAFTON NSW 2460

21 APR 2006

Dear Mr Van Dorp

**Director General's Requirements for the Environmental Assessment of
Proposed Tourist Facility at Lot 2 in DP 748039 and Lot 2 in DP 726619
90-92 Queen Street Iluka**

The Department has received your application for the proposed 14 managed strata title holiday units (Project No. MP 05_0105).

Attached is a copy of the Director General's requirements (DGRs) for the environmental assessment of the project. These requirements have been prepared following consultation with the relevant government agencies including Council.

It should be noted that the DGRs have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the Environmental Assessment for the project to determine:

- the fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply;
- options available in publishing the Environmental Assessment via the Internet; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department will consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth Environment Protection Biodiversity Conservation Act 1999 (EPBC Act). This approval would be in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of Environment and Heritage in Canberra (6274 1111 or <http://www.deh.gov.au>).

If you have any enquiries about these requirements, please contact Ms Alix Carpenter, Senior Planner on 9228 6313 or alternatively by email alix.carpenter@planning.nsw.gov.au

Yours sincerely



Sam Haddad
Director General

21/4/2006

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	05_0105
Project	- The proposal comprises the following: - relocation of the existing building (which holds heritage significance) on the site; - staged construction of 14 managed strata titled holiday units in 2 x 2 storey buildings; - conversion of an existing shop and residence to a shop/kiosk and residence at stage 1, and then to the resort reception, restaurant, games room and shop at stage 2; - landscaping; - construction for 22 basement and 4 on street car parking spaces; and - provision for on-site effluent disposal at stage 1 and connection to Council's proposed sewer system at stage 2.
Location	90-92 Queen Street, Iluka
Proponent	Mr Richard Van Dorp
Date issued	21 April 2006
Expiry date	Two (2) years from date of issue.
General requirements	Environmental Assessment The Environmental Assessment (EA) for the project application must include: - an executive summary; - a description of the proposal including: - description of the site and surrounds, including cadastre and title details; - suitability of the site; - likely environmental, social and economic impacts; - justification for undertaking the project; - description of design, construction, operation, maintenance and rehabilitation (as may be of the various stages of the project; and - alternatives considered; - an assessment of the environmental impacts of the project, with particular focus on the key issues as outlined below; - how you have identified the environmental impacts of the development; - any matters that must be included by any guidelines or draft guidelines issued by the Department of Planning or other relevant agencies; and - a statement on the validity of the environmental assessment, the qualifications of person(s) preparing the assessment and that the information contained in the environmental assessment is neither false nor misleading.
Key issues	Development Control Provide an assessment of the proposal against all relevant legislation and planning provisions which apply to the site, in particular:

- SEPP 71 – Coastal Protection;
- Maclean LEP 2001;
- Commercial Development DCP (Maclean Shire);
- Residential Development DCP (Maclean Shire);
- Car Parking DCP (Maclean Shire);
- Sustainable Water DCP (Clarence Valley Council);
- Engineering Standards DCP (Clarence Valley Council); and
- Erosion and Sediment Control DCP (Clarence valley Council).

The assessment is to including the nature, extent and justification for any non compliance, particularly where non compliance results in environmental impacts. Consideration of alternative compensatory work to address any impacts is recommended.

Maps and Plans

- Provide maps showing the locality of the proposal in a regional and local context. Local context plans should be based on 1:25000 topographic plans.
- An existing site survey plan is to be submitted and is to detail:
 - the location and size of the land;
 - measurements of the boundaries of the land;
 - existing vegetation and built form;
 - existing levels; and
 - location and height of adjacent buildings;
- The architectural drawings are to be drawn to scale and show:
 - the location of any building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;
 - indicative floor plans of the proposed buildings indicating apartment types, layout, size and orientation; location and size of vertical and horizontal circulation of stairs and corridors; and fenestrations, balconies and other features;
 - communal facilities and servicing points;
 - the height of the proposed development in relation to the land;
 - any changes that will be made to the level of the land by excavation, filling or otherwise;
 - the level of the lowest floor, the level of any yard or unbuilt area and the level of the ground; and
 - parking arrangements, where vehicles will enter and leave the site, and how vehicles will move about the site.
- Shadow diagrams are to be submitted showing solar access to the site and adjacent properties, at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday, 3.00 pm and 6.00 pm.
- Other plans including:
 - view analysis (artists impression, photomontages, etc) of the proposed development in the context of the surrounding development; and
 - coloured elevations of the proposed buildings drawn to the same scale as the architectural drawings will be required for exhibition and assessment purposes. The elevations are to indicate height, building length and articulation, the composition of the façade and roof design, existing buildings on the site, building entries (pedestrian, vehicular and service), and profile of buildings on adjacent properties as indications only.

Design

- Clarence Valley Council has advised the Department that it does not support retention of, or the further projection of the existing building, or the proposed alfresco seating across the road reserve. The EA must address this concern and following consultation amend the proposal as necessary. Alternatively, justification for this design must be provided;
- The EA must demonstrate compliance with the requirements of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development, particularly in relation to the ten design quality principles and design verification statement;
- The EA must address location of plant equipment and measures to minimise noise impacts to adjoining properties.
- An indicative external materials and finishes schedule is to be submitted.

BCA

- The EA must demonstrate compliance with the relevant requirements of the BCA.

Management

- A Building Management Plan is to be submitted providing details in relation to occupancy, management systems, use of amenities and facilities and body corporate roles and responsibilities etc.

Construction Management

- A Construction Management Plan is to be prepared and submitted detailing (but not limited to) hours of work; contact details of site manager, traffic management, noise and vibration management, waste management, erosion and sediment control, and flora and fauna management.

Flora and Fauna

- The EA must address the Draft *Guidelines for Threatened Species Assessment* prepared by DEC.

European Heritage

- The EA is to include a Heritage Impact Assessment report demonstrating the impact of the proposed development on the significance of the heritage item and including consideration of the relevant LEP and DCP provisions.

Cultural Heritage

- The EA must identify the presence or absence of Aboriginal objects in accordance with the draft *Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation* (DEC 2005).

Landscaping

- The EA must include a Landscape Concept Plan and indicative species list; and
- The EA must include an Arborist Report which identifies those

trees which are to be retained and those removed (with justification).

Access, Parking and Traffic

- The EA must include a Traffic and Parking Report which addresses traffic control, parking and access to the site. This report must include consideration of any impacts to the local area, in particular how parking for the proposal restaurant will be catered for. This report should also include consideration of the Car Parking DCP (Maclean Shire) as previously mentioned.

Dewatering, Water Quality and Flooding

- The EA must determine whether dewatering is required based on the depth of the watertable below ground level. A report determining the above is required. If dewatering is required, a dewatering license under Part V of the Act is required. The following information (at minimum) is required in this respect:
 - An outline of the proposed method for treatment and disposal of the groundwater. If on-site treatment is proposed then a water quality management plan should be produced;
 - The groundwater quality – pH, presence of heavy metals in particular Fe and Al, oxygen content and presence of faecal coliforms;
 - Frequency of sampling;
 - Threshold values and treatment methods for waters exceeding threshold values;
 - Disposal of water after treatment. It should be noted that any water should be analysed pre and post treatment;
 - The potential impact on adjacent properties caused by dewatering; and
 - The presence or absence of Acid Sulphate Soils (ASS).
- The EA must include a Stormwater Management Plan which includes a preliminary design for the management, collection and disposal of stormwater to a legal point of discharge which does not impact on other properties and which will not surcharge the existing systems.
- The EA must show how the proposal complies with water sensitive urban design measures.
- The EA must identify whether the site is subject to flooding and if so provide an appropriate report detailing protection and evacuation methods.

Erosion and Sediment Control

- The EA must include an Erosion and Sediment Control Management Plan which details the management and monitoring methods to be implemented on site to prevent any impacts from erosion or sediment loss of materials off site.

Acid Sulphate Soils

- The EA must identify the presence or absence of Acid Sulphate Soils on the site. If necessary, an Acid Sulphate Soils Management Plan detailing the treatment of any excavated soil is to be included. This plan must demonstrate compliance with

	ASSMAC Guidelines (1998). <i>Effluent Disposal</i> Detailed assessment and plans for on-site effluent management is required, in particular any impacts resulting of the proximity of the site to the Clarence River and the nature of the sandy soils must be identified. Mitigation measures for any potential detrimental impacts is required if necessary.
Consultation	During the preparation of the Environmental Assessment, you must consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. In particular you must consult with; - Clarence Valley Council; - NSW Department of Natural Resources; - NSW Department of Environment and Conservation; - NSW Department of Environment and Heritage; - North Coast Water; - Telstra; - Country Energy; - Aboriginal groups; and - Members of the local community and community action groups. The consultation process and the issues raised should be described in the Environmental Assessment
Deemed refusal period	Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 60 days from the end of the proponent's environmental assessment period for each project.

Technical and Policy Guidelines

The following list identifies policies that may assist in the preparation of an Environmental Assessment. This list is a guide only, it is the proponent's responsibility to ensure that relevant policies, whether included on this list or not are addressed in the Environmental Assessment.

Aspect	Policy /Methodology
Biodiversity	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Planning 2005)
Coastal Planning	Coastal Design Policy for NSW, Planning NSW, March 2003
Heritage	
Aboriginal	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A (Planning 2005)
Non-Indigenous	Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC, 2005) <i>Draft</i>
Noise	
	Environmental Noise Management Manual (RTA, 2001)
	Noise Guide for Local Government (DEC, 2004)
Soils	
	Acid Sulfate Soil Manual (ASSMAC)
Traffic & Transport	
	Guide to Traffic Generating Development (RTA, 1993)
Urban Design: Cycleway/Pathway Design	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
Water	
	Water quality guidelines for the protection of aquatic ecosystems for upland rivers. (ANZECC, 2000)
	Best Practice in Water Management (Commonwealth DEH, 1999, ISBN 0 642 546231)
	Environmental Guidelines for the Utilization of Treated Effluent by Irrigation (DEC, 2004)
Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
Groundwater	The NSW State Groundwater Protection Policy (DLWC)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
Water quality	Australian Water Quality Guidelines for Fresh and Marine Waters (Australian and New Zealand Environment and Conservation Council, 1992 & 2000)

Electronic publishing of the Environmental Assessment

Electronic documents presented to the NSW Department of Planning for publication via the Internet will need to meet certain criteria. Adobe Acrobat PDF files and Microsoft Word documents must be no bigger than 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files. File names will need to be logical so that the Department can publish them in the correct order. Avoid sending documents that are broken down in more than 10 files.

Image files should not be bigger than 2Mb. The file names will need to be clear and logical so the Department can publish them in the correct order.

- Graphic images will need to be provided as [.gif] files.
- Photographic images should be provided as [.jpg] files.
- Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each.
- Images inserted into the document will need to be calibrated to produce files smaller than 1.5Mb. Large images will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. The file names will need to be clear and logical so the Department can publish them in the correct order.