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1. Director General Requirements and Assessment Directory

APPENDIX 1

DIRECTOR GENERAL REQUIREMENTS

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NEW SOUTH WALES
Department of Planning

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Address: 100-101 Pitt St
Sydney NSW 2000

Sapphire Beach Development Pty Limited
C/- Mr W E Jenner
Attentus Projects and Properties Pty Limited
PO Box 1746
NORTH SYDNEY NSW 2060

Dear Mr Jenner

Subject: Lots 100 & 101 DP 629555 and Lot 2 DP 800836, 740-742 Pacific Highway, Sapphire Beach – Residential and tourist accommodation and associated subdivision (MP 06_0148).

The Department has received your application for the proposed residential and tourist accommodation comprising maximum 200 dwellings and subdivision under community, lotions and strata titles at 740-742 Pacific Highway, Sapphire Beach in the Coffs Harbour LGA (MP06_0148). The Minister authorised a concept plan to be lodged pursuant to S75M of the *Environmental Planning and Assessment Act 1979* (the Act) on 30 June 2006.

The Director General's Environmental Assessment Requirements (DGRs) for the environmental assessment of the project for a Concept Plan are attached to this correspondence as **Attachment 1**. These requirements have been prepared in consultation with the relevant government agencies including council.

Attachment 2 lists the relevant plans and documents which are likely to be required upon submission of your proposal, however, this should be confirmed with the Department prior to lodgement.

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.

It would be appreciated 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;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

A list of some relevant technical and policy guidelines which may assist in the preparation of this Environmental Assessment are attached as **Attachment 3**.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that

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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. The Director-General's requirements will be placed on the Department's website along with other relevant information which becomes available during the assessment of the project. As a result, the Department would appreciate it if all documents that are subsequently submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the EA to be hosted on a suitable website with a link to the Department's website.

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 Ray Lawlor on 02 9228 6216 or via e-mail at ray.lawlor@planning.nsw.gov.au.

Yours sincerely,



P. M. CG

Chris Wilson
Executive Director
as delegate for the Director General

Attachment 1 Director General's Environmental Assessment Requirements

Section 75F of the Environmental Planning and Assessment Act 1979

Application number	06_0148
Project	Concept Plan for Residential and Tourist Accommodation comprising a maximum of 200 dwellings, and subdivision under community, torrens and strata titles
Location	Lots 100 & 101 DP 628555 and Lot 2 DP 800836 740-742 Pacific Highway, Sapphire Beach, Coffs Harbour
Proponent	Sapphire Beach Development Pty Limited
Date issued	18 July 2006
Expiry date	Two (2) years from the date of issue
General requirements	<p>The Environmental Assessment for the Concept Plan must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. An outline of the scope of the project including: <ul style="list-style-type: none"> • any development options; • justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; • outline of the staged implementation of the project if applicable; 3. A thorough site analysis and description of the existing environment; 4. Consideration of any relevant statutory and non-statutory provisions and identification of any non-compliances with such provisions, in particular relevant provisions arising from environmental planning instruments: Regional Strategies (including draft Regional Strategies) and Development Control Plans as well as impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined in Attachment 2; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and 8. An assessment of the key issues specified below and a table outlining how these key issues have been addressed. <p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> 1. Design & Visual Amenity and Impacts <ol style="list-style-type: none"> 1.1 Address the design quality of the development with specific consideration of massing and setbacks, and amenity (including amenity impacts for adjoining and surrounding

	development).
1.2	Address visual impact in the context of adjoining and surrounding development in relation to its setting, density, built form, building mass, and height as viewed from the public domain including the Pacific Highway and from all publicly accessible coastal locations (eg beaches, headlands, etc) and relevant mitigation measures.
1.3	Outline and provide indicative building envelopes and built form controls, including development restrictions forward of the 50m foreshore building line established by Coffs Harbour City Council.
1.4	Address the 'landscape' setting and retention of existing significant vegetation, vegetated gullies and steep sections of the site.
1.5	Address potential impacts in relation to privacy, views and overshadowing and relevant mitigation measures, including overshadowing of adjoining and surrounding development and of the foreshore - Campbell's Beach and adjacent open space/coastal reserve.
1.6	Address impacts of any site filling.
1.7	Address potential waste (garbage) management and areas on site for the storage and collection of waste.
2.	Flora and Fauna
2.1	Outline measures for the conservation of flora and fauna and their habitats within the meaning of the <i>Threatened Species Conservation Act 1995</i> and outline measures for the conservation of existing wildlife corridor values and/or connective importance of any vegetation on the subject land.
2.2	Outline measures for the long-term management of conservation/open space areas proposed within the project and significant vegetation to be retained, including a survey of existing trees and vegetation.
3.	The Coastal Foreshore and Public Access
3.1	Address measures for the management of the foreshore, in particular vegetation management and dune restoration, rehabilitation and management.
3.2	Outline measures to protect existing public access through the site to and along the foreshore and provide, where appropriate, new opportunities for public access, also having regard to any Coastal Walk and Regional Park Guidelines.
4.	Natural Hazards
4.1	Address the requirements of Planning for Bushfire Protection 2001 (RFS), specifically requirements for tourist development (Special Fire Protection Purpose).
4.2	Identify the presence and extent of acid sulfate soils on the site and appropriate mitigation measures.
4.3	Identify any areas of any contamination on site and appropriate mitigation measures.
4.4	Address impacts of coastal processes and coastal hazards including the 50 year and 100 year hazard lines as defined in the Coffs Harbour City Council's draft Campbell's Beach

	<p>Coastline Management Study – Stage 1 Coastal Processes and Hazard Definition Study, August 1998.</p> <p>4.5 Identify and mitigate any other site-specific natural hazards where relevant.</p> <p>5. Noise</p> <p>5.1 Address potential road traffic noise impacts for future residents and appropriate mitigation measures.</p> <p>6. Water Cycle Management</p> <p>6.1 Address potential impacts on water quality of surface and groundwater, and on waters of Solitary Islands Marine Park.</p> <p>6.2 Address and outline measures for an Integrated Water Cycle Management Plan (including stormwater concept) based upon Water Sensitive Urban Design principles, including impacts on the surrounding environment.</p> <p>7. Traffic and Vehicular Access</p> <p>7.1 Prepare a traffic impact study in accordance with the RTA's Guide to Traffic Generating Development, which addresses but is not limited to the following matters:</p> <ul style="list-style-type: none"> • The RTA's Coffs Harbour Pacific Highway Planning Strategy • The capacity of the road network to safely and efficiently cater for the additional vehicular traffic generated. • Potential construction and operational impacts on existing intersection/s, in particular the Pacific Highway intersection. • Access through the site including use of existing driveways and avoiding steeper 'green' sections of the site. <p>8. Infrastructure Provision</p> <p>8.1 Address existing capacity and requirements of the development for sewerage, water and electricity in consultation with relevant agencies.</p> <p>8.2 Address provision of public services and infrastructure having regard to the Council's Section 94 Contribution Plans.</p> <p>9. Heritage</p> <p>9.1 Identify whether the site has significance in relation to Aboriginal cultural heritage and identify appropriate measures to preserve any significance.</p> <p>9.2 Identify any other items of heritage significance and provide measures for conservation of such items.</p>
Consultation	<p>You should undertake an appropriate and justified level of consultation with relevant following parties during the preparation of the environmental assessment.</p> <p>(a) Agencies and other authorities:</p> <ul style="list-style-type: none"> • Coffs Harbour City Council; • NSW Department of Natural Resources;

	<ul style="list-style-type: none"> • NSW Department of Environment and Conservation; • NSW Department of Primary Industries; • NSW Department of Lands; • NSW Rural Fire Service; • NSW Roads and Traffic Authority; • Solitary Islands Marine Park Authority; • Telstra; • Country Energy; • Commonwealth Department of Environment and Heritage; • Local Aboriginal Land Councils; and <p>(b) Purpose: Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy</p> <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>
Deemed refusal period	120 days

Attachment 2 Plans and Documents to accompany the Application

Plans and Documents of the development	<p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for your application.</p>
	<ol style="list-style-type: none"> 1. The existing site survey plan is to be drawn to 1:500 scale (or other appropriate scale) and show: <ul style="list-style-type: none"> • the location of the land, the measurements of the boundaries of the land, the size of the land and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site and • location and height of adjacent buildings and private open space 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, natural features such as watercourses, rock outcrops, utility sunrises, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways etc). 3. A locality/context plan drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space, water courses and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes <p>The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation.</p> 4. The Environmental Assessment in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1 5. The Architectural Concept drawings (where relevant) are to be drawn to scale and illustrate the following general features: <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land; • the floor plans; • communal facilities and servicing points; • the height of the proposed development in relation to the land; • significant level changes; • parking and vehicular access arrangements; • pedestrian access to, through and within the site 6. The Subdivision Concept plans (where relevant) are to show the following: <ul style="list-style-type: none"> • General dimensions of proposed and/or existing allotments • Location of all structures proposed and retained on site; • North point; • Name of the road fronting the site; • Title showing the description of the land with lot and DP numbers etc; • Vegetation retention; • Access points • Type of subdivision proposed (Terraced, strata and/or community title) • Staging of the development and subdivision

	<p>7. The shadow diagrams for developments comprising two or more storeys are to show 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 and 3.00 pm.</p> <p>8. The Other plans including (where relevant):</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management from the site. • View analysis - artists impression, photomontages, etc of the proposed development in the context of the surrounding development; • Coloured elevations - of the proposed buildings drawn to the same scale as the architectural drawings; • Landscape Concept Plan - plan or drawing that shows the basic detail of planting design and plant species to be used, listing botanical and common names, mature height and spread, number of plants to be utilised and surface treatments (i.e. pavers, lawn etc).
Specialist advice	<p>Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practising consultants in relation to issues including, but not limited to, the following:</p> <ul style="list-style-type: none"> • Flora and Fauna; • Bushfire; • Traffic; • Landscaping; • Geotechnical and/or hydrogeological (groundwater); • stormwater/drainage; • Urban Design/Architectural; • Contamination in accordance with the requirements of SEPP 55; • Acid Sulphate Soil Management Plan; • On-site effluent disposal; • BCA compliance.
Documents to be submitted	<ul style="list-style-type: none"> • 10 hard copies of the Environmental Assessment; • 10 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale) and • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format, not exceeding 5Mb in size (see below)
Electronic Documents	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria -</p> <ul style="list-style-type: none"> • 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 [.eps] 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.

Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.

Attachment 3 Technical and Policy Guidelines

The following list provides relevant technical and Policy Guidelines which may assist in the preparation of the Environmental Assessment. It should be noted, however, that this list is not exhaustive as other documents and policies may need to be reviewed. It is also important to note that not all of these guidelines may be relevant to your proposal.

The majority of these documents can be found on the relevant Departmental Websites, on the NSW Government's on-line bookshop at <http://www.bookshop.nsw.gov.au> or on the Commonwealth Government's publications website at <http://www.publications.gov.au>.

Aspect	Policy /Methodology
Biodiversity	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC, 2004)
Bushfire	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
	Australian Standard 3959 – Building in Bushfire Prone Areas
Coastal Planning & Water bodies	
	NSW Coastal Policy 1997 – A sustainable future for the New South Wales Coast (Department of Urban Affairs & Planning, 1997)
	Coastal Design Guidelines for NSW, Coastal Council, March 2003
	Coastal Dune Management (DLWC, 2001)
Heritage	
	Draft guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, July 2005)
	NSW Heritage Manual and Assessing Heritage Significance (NSW Heritage Office, July 2001)
Lighting	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, 1997 AS 4282)
Noise & Vibration	
	Environmental Criteria for Road Traffic Noise (DEC, June 1999)
	Noise Guide for Local Government (DEC, 2004)
Soils & Contamination	
	Acid Sulfate Soil Manual: (Acid Sulfate Soils Management & Advisory Committee (ASSMAC), 1996; published by DUAP)
Sustainability	
	BASIX – www.basix.nsw.gov.au
Traffic, Transport & Pedestrian & Cyclist Facilities	
	Guide to Traffic Generating Developments (RTA, 1993)
	RTA Road Design Guide (RTA, 1996)
	Planning Guidelines for Walking and Cycling (DIPNR & RTA, December 2004)

Aspect	Policy/Methodology
Water	
Water Quality	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book" Marine Water Quality Objectives for NSW Open Waters (DEC, 1999)

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2. Consultation Strategy



Consultation Strategy for Sapphire

Background Context

Sapphire Beach Development is seeking planning approval from the Minister for Planning under Part 3A of the Environmental Planning and Assessment Act for a proposal to develop residential and tourist accommodation at 740-742 Pacific Highway, Sapphire Beach.

Sapphire Beach Development seeks to gain permission to construct a new lifestyle resort of 117 dwellings, together with associated leisure and recreation facilities set within a landscaped environment. The proposal relates to the re-development of the 41,503 square metres of beach front land currently operating as Pelican Beach resort, containing 114 tourist accommodation suites.

Sapphire Beach Development has engaged consultants to undertake specialist technical studies about the potential social, economic and environmental impacts of the proposal. These will form part of the Environmental Assessment to be submitted to the NSW Department of Planning.

In order to understand and where possible address stakeholder issues and concerns, Elton Consulting has been engaged to work as part of the project team to devise and implement an effective community consultation and communications strategy, to address requirements established by the Director General of the Department of Planning.

The Director General's requirements include provision for consultation and require the project team to:

- liaise with the Department of Planning to confirm the approach to pre-lodgement consultations and public exhibition arrangements
- undertake appropriate and justified consultations with key local and state government authorities, other nominated stakeholders and the community during the preparation of the environmental assessment
- document the consultation process and the issues raised in the environmental assessment
- outline contingencies for addressing any issues that arise from the consultation and a communications approach
- host a website with electronic copies of all environmental assessment documents and links to the Department's website.

As such, Elton Consulting is responsible for design, implementation and reporting on the community consultation process. PTW Planning is responsible for the implementation and reporting on the government agency and utility consultation process.

Issues of Community Interest

Being a beachfront development with proximity to existing tourist accommodation and residential areas the proposal is anticipated to arouse community interest and concern. Key issues of interest may relate to:

- the bulk and scale of the development and long term impacts on visual amenity
- view sharing
- loss of employment from the existing tourist facility and socio-economic impacts
- increased density of development
- impact of construction works on the amenity of adjacent properties
- increased traffic and transport
- continued public pedestrian access to the beach
- impacts on environmentally sensitive coastal areas.

This strategy covers consultations with community stakeholders pre and post lodgement of the application for public exhibition by the Department. As such, it provide for consultations to inform the development of the application and to support the exhibition and assessment process.

Pre-Lodgement Consultations

Pre-lodgement consultations will be undertaken to:

- inform targeted stakeholders about the proposal through a constructive and inclusive process which allowed for active dialogue between key members of the project team and relevant stakeholders, including community members.
- foresee and address possible key issues of stakeholder interest, including visual amenity, built form, environmental impacts, traffic, and employment.
- listen, understand and seek feedback from key stakeholders to ensure that relevant issues were considered during the development of the proposal and to gauge the level of stakeholder support and acceptance, or otherwise for the proposal.

The process will include:

- Liaison with the Department of Planning and Coffs Harbour City Council to identify key issues to be examined and stakeholders to be consulted. These discussions will establish the extent of the catchment area to receive notification of the community information session.
- Issue of an invitation to landowners and residents within a defined catchment area and other targeted stakeholders to attend an information session. Contact details for the project team will be included on the invitation to enable invitees to advise their availability or discuss the logistics of the information session.

- Liaison with existing resort operators to provide opportunity for staff to attend a briefing session to learn about the proposal. Facilitation of a briefing session as required.
- Facilitation of a community information session where members of the local community and staff at the existing resort can attend, obtain information and speak directly with members of the project team.
- Assessment and analysis of community feedback and preparation of an independent report to outline community issues identified through consultations. The report will be written to be incorporated into the Environmental Assessment.

Post Lodgement Consultations

The findings of the pre-lodgement consultations will contribute to an ongoing communications and consultation strategy for the Sapphire proposal. Continued community engagement on the proposal will be undertaken during the exhibition stage of the Environmental Assessment process as follows.

- Ongoing liaison with the Department of Planning, Coffs Harbour City Council, key stakeholders including local residents, businesses, community groups and operators of the existing resort as required.
- Preparation of materials including consultants' reports contributing to the design process and environmental assessment to be uploaded to the Sapphire Beach Development website at the commencement of the exhibition phase as per the Director General's requirements.
- Advertisement, hosting and facilitation of an additional community information session at which members of the wider local community will be invited to attend, obtain information and meet with members of the project team. The information session will be organised in consultation with the Department of Planning and held early in the exhibition process to enable community members to make informed and considered submissions through the assessment process. The information session will be advertised in the Coffs Harbour Advocate. Letters will be sent to all community members who participated in pre-lodgement consultations to encourage attendance and provide opportunity for ongoing involvement.
- Briefings will be offered to key stakeholders including Coffs Harbour City Councillors, Coffs Harbour Chamber of Commerce and the Coffs Coast Tourism Association as required.
- Liaison with consultants to ensure issues raised through consultations are considered and addressed through the detailed design and development process. Detailed design work will clearly document how community issues have been responded to and where appropriate reflected in design modifications.

- Assessment and analysis of community feedback and preparation of an independent report to outline community issues identified through consultations. The report will be provided to the Department of Planning to inform the assessment process.

Sapphire Beach Development is committed to being a good neighbour, and will keep adjoining landholders up to date with the progress of the development. A communication and community relations strategy will be implemented to guide communications during demolition and construction phases.

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3. Minutes of Consultation Meetings



Community Consultation

This chapter outlines pre-lodgement consultations that were undertaken with government agencies, utilities and community stakeholders during the proposal development. The objectives of pre-lodgement consultation were to:

- fulfil the Director General's requirements for the provision of consultation during the Environmental Assessment process
- establish constructive dialogue and engage with a range of stakeholders, including affected residents, relevant community groups, government authorities and tourism industry groups prior to lodgement of the application
- create, maintain and/or increase stakeholder awareness of the proposal
- provide accurate detailed information and key messages about the proposal to prevent misinformation
- identify and understand stakeholder issues, values and concerns related to the proposal
- incorporate stakeholder feedback into the planning and development process in order to improve the proposal and identify possible design, construction or operational issues and measures which could mitigate environmental, social and economic impacts.

Community Consultation

Elton Consulting coordinated a community consultation session to inform the development of the proposed residential and tourist lifestyle resort at Sapphire Beach. Pre-lodgement communication and consultation was undertaken to raise awareness of the proposal and identify key issues to be addressed through the Environmental Assessment process.

The purpose of pre-lodgement community consultation was to:

- inform targeted community stakeholders about the proposal through a constructive and inclusive process which allowed for active dialogue between key members of the project team and community members
- foresee and address possible key issues of interest, including visual amenity, built form, environmental impacts, traffic, and employment
- listen, understand and seek feedback from community members to ensure that relevant issues were considered during the development of the proposal and to gauge the level of support and acceptance, or otherwise for the proposal.

Stakeholder Analysis

A number of community stakeholders with an interest in the future of the site were identified, including local residents and property owners living adjacent to, or in close proximity to, the site and adjacent tourist or residential developments across the Pacific Highway. Other stakeholders include community and residents' groups who

provide an independent voice for residents on local issues. Key industry groups with an interest in the proposal include the Coffs Harbour Chamber of Commerce and the Coffs Coast Tourism Association.

Director-General's Requirements

The Director-General's Environmental Assessment Requirements issued by the Department of Planning under Part 3A of the Environmental Planning and Assessment Act are located in **Appendix 1**. The requirements clearly outline that consultations must be undertaken to an appropriate and justified level, and specify that consultation must be undertaken with the public. A consultation strategy had to be prepared to document the consultation approach and a methodology for addressing and communicating issues arising through the consultations.

In accordance with the Director General's Requirements a consultation strategy to guide pre-lodgement and post-lodgement consultations was prepared and is included in **Appendix 2**.

Consultation Process

Elton Consulting targeted pre-lodgement consultations to engage key community stakeholders such as residents and selected environmental and industry groups. The process involved the following stages:

- Liaison with the Department of Planning and Coffs Harbour City Council to identify key community stakeholders and groups to be consulted. These discussions established the extent of the catchment area to receive notification of the information session.
- Distribution of an invitation to 42 landowners and residents within the immediate vicinity of the site to attend the information session. The criteria used to define the distribution area were properties immediately adjacent to, or with views of, the subject site. These were predominantly private residential dwellings and apartments. Invitations were distributed to selected properties on the Pacific Highway, Coachmans Close, Daintree Close, Seaview Close, Campbells Close, Beachfront Close and the Nautilus Resort. In addition invitations were sent to the following key stakeholders:
 - Ulitarra Conservation Society
 - Sapphire South Dune Care
 - Coffs Harbour Chamber of Commerce
 - Coffs Harbour Tourism Association

Consultations primarily involved a community information session held by the project team in order to present the proposal and answer any questions the community had. Elton Consulting facilitated and managed the process, and independently collated and analysed feedback.

The session was used to identify issues to address through the Environmental Assessment and consider during ongoing design development. The session engaged residents and property owners who had a potential interest in the outcomes of the development proposal. It was emphasised that this was the initial information

session and that further consultations would provide opportunity for broader community input during exhibition.

The information session was held on 16 August 2006 between 7.30pm and 9.00pm at the Moonee Beach Reserve Trust Hall. It was structured as an open house meeting where members of the public were invited to view the plans, and to ask questions and make comments to members of the project team. The session presented information about the proposal and the preliminary outcomes of the technical reports informing the Environmental Assessment, and sought feedback from attendees on the proposal. The session provided members of the public with an opportunity to gain information and offer input to the planning process informally and on a one-to-one basis. All attendees had the opportunity to discuss the proposal and focus on particular issues which they were interested in.

Elton Consulting sent copies of the storyboards to two members of the community who were unable to attend the event and kept a record of their contact details for future consultation activities.

The Chamber of Commerce also requested a briefing session with members of the project team to discuss the proposal. It was agreed that a briefing could be organised during the exhibition phase.

The presentation materials used at the session included storyboards with images and explanatory text on:

- welcome and purpose of session
- details of the proponent and project team identifying the technical consultants and their contribution
- planning process under Part 3A of the Environmental Planning and Assessment Act and current stage in the Environmental Assessment
- topographical analysis of the site's constraints and opportunities including environmental assessment and landscaping
- preliminary outcomes of Environmental Assessment studies
- sustainable design principles incorporated into the design
- project description outlining the proposed range of dwellings and facilities that would be offered at the new lifestyle resort
- photo montages of the viewlines around the existing facility including reduced level roof heights
- site plan of the proposed facility indicating layout of services, vehicular access, landscaping and vegetation
- staging phases of the construction period
- next steps in the planning process outlining timeframe for finalising the Environmental Assessment and the process for providing further information and opportunity for comment during the exhibition phase.

Members of the project team present at the information session represented:

- Attentus Projects and Properties (x 2) – Project Management

- Cox Richardson (x 1) – Architecture, design and master planning
- Jackie Amos Landscape Architect (x 1) – Landscape architecture and visual analysis
- Bushfiresafe Services (x 1) – Flora and fauna, and bushfire assessment
- Elton Consulting (x 2) – Community consultation.

Nine people attended the community information session. The attendees were residents from streets immediately adjoining the site, and predominantly those whose properties were immediately adjacent to the site boundaries. One of the residents who attended also represented the local dune care group.

Questions and comments from the public were actively recorded by members of the project team during the session. A structured feedback form was also provided to all attendees. A copy of the feedback from is provided in **Appendix X**. Only one feedback form was received during the event as participants indicated that they were satisfied that their issues had been accurately recorded by members of the project team.

Community Issues

Community members attending the information session expressed a mixed response to the proposed development; however the majority of attendees supported and valued the opportunity to access information early in the planning process.

The consultation process identified factors which were considered to be important for achieving positive outcomes for the site or that people felt needed to be considered during the next phase of planning. Key issues of community interest related to viewlines, visual amenity, setbacks, traffic generation, safe vehicle access to the site, and environmental protection.

Consultations identified support for the restoration and rehabilitation of existing on-site vegetation and the sensitive dunal area along the foreshore.

Consultations identified a high degree of sensitivity to the proposal from residents living immediately adjacent to the site, particularly those in properties along the northern site boundary. These residents were particularly concerned with view sharing, setback, loss of privacy, property values and maintaining informal vehicle access to the rear of their properties.

The Table below

outlines the issues that were identified through the consultation. These issues were fed back to the project team and considered against the detailed technical investigations undertaken for the Environmental Assessment.

Summary of Issues Identified Through Consultations

Issue	Details of Issue
Views / view loss	<ul style="list-style-type: none"> - Strong expression that the existing proposal does not sufficiently take into account the orientation of primary living spaces, private areas and balconies for adjacent townhouse properties on the northern boundary. - Concern raised as to potential view loss to adjacent properties at the south-western boundary as a result of the two-storey beachfront housing. - Concern raised as to potential view loss to adjacent townhouse properties on the northern boundary as a result of proposed three-storey housing. - Positive impact on views through restoration of environmentally sensitive area and dunes.
Compliance with planning controls	<ul style="list-style-type: none"> - Clarification of the extent of the front setback from the foreshore line (50 or 100 metres) and the relationship to proposed beachfront properties. - Request that the front setback be checked in relation to the high water mark. - Clarification of the tenure of the foreshore lands and location of Crown Land, request for confirmation of ownership. - Request a construction management plan be prepared to demonstrate compliance with planning controls. - Clarification about construction management including hours of activity and truck ingress/egress from the site.
Visual impact	<ul style="list-style-type: none"> - Concern that proposed three-storey buildings along the northern boundary would have visual impact on adjacent properties. - Concern about the proposed development density and need for new development to be in keeping with other development in the area in terms of height. - Concern about loss of open space and increased development intensity. - Clarification on the proposed layout and request for a footprint overlay to show relationship between existing site structures and proposed structures. - Request for detailed information about the exact reduced levels of all proposed rooflines. - Request for information about side setbacks along the northern boundary. - Clarification about the design features that have been incorporated into the proposal to minimise impacts on neighbouring properties.
Loss of privacy	<ul style="list-style-type: none"> - Concern that the proposed three-storey buildings along the northern boundary would impact the privacy of outdoor areas and primary living spaces for adjacent properties. - Concern about the potential overlooking of adjacent properties. - Request for information about the proximity of development to existing balconies on adjacent properties.
Environment	<ul style="list-style-type: none"> - Request for information about management of construction activities in terms of noise and dust control. - Clarification about the extent of coastal vegetation that would be rehabilitated along the front dunal area. - Support for protection of native vegetation and restoration of dunal area.

	<ul style="list-style-type: none"> - Request for information about the dune and vegetation management plans. - Clarification as to number, species and location of trees to be planted along the boundary to replace any removed during construction.
Traffic and access	<ul style="list-style-type: none"> - Clarification of traffic route for construction vehicles on site, and concern about access via the steep road along the northern boundary. - Clarification of the ownership of the boundary road along the northern boundary and use of the existing easement and right-of-way. - Concern that the existing car park surface was unsuitable for construction vehicles. - Strong expression that the existing intersection capacity is limited and creates conflict for vehicle access and egress from the site in relation to slip ways, intersection and fast traffic along the Pacific Highway. Particular emphasis was placed on vehicles turning right and crossing the Pacific Highway to enter or leave the site. - Expression of safety concerns associated with access to Pacific Highway from Campbells Close and having to aware of vehicles leaving the site. - Concern about increased volume of traffic from the site and tourists not being aware of the potential conflict at the intersection. - Concern expressed that additional traffic will affect properties in proximity to the site access way. - Clarification that informal rear access to adjacent properties via easement on site would be maintained for deliveries. - Information regarding public pedestrian access route from Pacific Highway to the beach. - Support for public pedestrian access to the beach to be retained.
Economy	<ul style="list-style-type: none"> - Concern that development will devalue adjacent properties.
Safety and hazards	<ul style="list-style-type: none"> - Concern that upper part of the site (immediately west of the environmentally sensitive area) is unstable. - Request for geotechnical assessment of stability and information about the proposed building setbacks.
Miscellaneous	<ul style="list-style-type: none"> - Existing community understanding is that resort will remain and be refurbished. - Request information about the project timeframe. - Clarification of access to the sewerage pumping station, easement on privately owned property.

Summary

Pre-lodgement consultations were undertaken in the form of a community information session, targeted at 42 local residences and businesses in the immediate vicinity of, or with views to, the site. In total, nine people attended the information session held on 16 August 2006 and two feedback forms were returned. Whilst the reaction to the proposal was mixed, the attendees did appear to be satisfied with the level of information presented, and the opportunity to have detailed technical discussions with key members of the project team.

Where possible, issues and questions were clarified by relevant project team members according to their area of specialisation. Several members of the community took away printed copies of the proposal and display material.

Issues identified related primarily to view and privacy loss, traffic management and environmental protection. Positive comments were received in relation to the proposed rehabilitation of environmentally sensitive areas, including foreshore dunes.

Attendees at the event had their contact details recorded so that they could be kept informed about the development process. Attendees were advised that the planning process would provide further opportunity for community input during the exhibition stage.

An additional community information session is proposed to be held during the exhibition phase and will be advertised in the Coffs harbour Advocate to target the wider community. This will also provide the opportunity for broader community input, and allow informed and considered written submissions to be made to the Department of Planning as part of the assessment process.

NOTES OF MEETING

REDEVELOPMENT OF PELICQAN BEACH RESORT

COFFS HARBOUR

25 MAY 2006 COFFS HARBOUR COUNCIL

Present:

Pelican Beach Team
Clive Atwater
Wayne Cooper
Phil Witts
Jackie Amos
Wayne Hadaway
Craig Hanson
Janet Thomson

Council and Authorities

Chris Clark	RTA
Robert Percival	CHCC Building
Greg Pawler	CHCC Subdivision
Mark Hannon	CHCC Planning
Martin Rose	CHCC Engineer
Tim Catswell	CHCC Property
Chenelle Brooks	CHCC Landscape
Ray Collingede	Rural Fire Service

The meeting was chaired by Mark Hammon who advised that Council had received the letter from DOP requesting their requirements for the Part 3 A assessment. MH proceeded to identify the main issues as he saw them for the assessment.

Summary

The land had previously been used for banana growing and therefore there could be some contamination. Acid sulphate soils were unlikely. In relation to Bushfire there is a particular category for tourist development which needs to be applied. Information is available on the location and availability of services. The site is in a sensitive coastal location and the impact on the marine park is of importance.

Issues

1. The Highway

MH There is a long driveway to the property which services 3 properties. There is currently not an ideal relationship to the highway and there are access issues.
RTA The traffic impact needs to be considered for the current situation and when the highway is redeveloped. Providing a single access point can handle volumes then it is a good way to handle the traffic issues. It also ties in with the longer term planning for the future development of the highway. The idea is that the existing highway will be used as a service road. A southern end point close to this location needs to be provided. The preference is to keep access to this site as and where it is now.

Demolition and construction activities need to be addressed as there will be heavy vehicles rather than light vehicles.

The traffic impact assessment will need to look at adjacent development.

The RTA is to lodge a Part 3A application for the new road shortly. An environmental assessment will be required and then the properties have to be acquired. The construction of the road is a number of years down the track but is a high priority project. RTA wants to start construction in 2007/2008 financial year. There are drawings of the intersection design and these will be in the Part 3A Assessment. Access arrangements for Pelican Beach are to have regard to the concept design.

2. Access Through the Site

There are 2 existing routes through the site. The EA needs to address whether the existing route can be used and the impacts of any new routes through the site. CHCC wants to protect gullies and provide buffers to gullies.

The boundary of the 7a zone is as in the CHCC LEP.

3. Public Transport

Is a bus stop required at the site? Public transport development needs to be looked at.

4. Pedestrian Access

CHCC has a coastal walk planned through the city. Pedestrian access through the site and within the site and disabled access need attention. CHCC supports public access through the site on the northern boundary.

The beach parkland is managed by CHCC and NPWS. They have design criteria for the coastal walk. There may be cultural values in the dune frontage area (NPWS issue).

Access from the development to the beach needs to be looked at. Would ask for one only to similar standards as the public access. CHCC would seek a maintenance agreement.

5. Dune Management

A dune management plan is required and certification from the Australian Association of Bush Regeneration (AABR). The ongoing maintenance of the area also needs attention.

6. Flora and Fauna Impact

A tree protection plan is required for any trees which are to remain on site. A Bushland Management Plan is required. These will deal with tree removal and tree protection. The dune and pine trees are the signature areas.

A Vegetated Management Plan is required especially for the vegetated area. This area needs to be managed. Access points to the beach need to be controlled.

7. Coastal Processes

This is the only area along the coast which has a coastal building line. CHCC has a study of processes on the beach. Buildings beyond the hazard line. Wave run up may be an issue. Buildings should be behind the 100 year hazard line.

Land filling was allowed next door for stormwater management to Nautilus. May already be fill on the site. The ground is lower than the dune. Need to look at how the site operates.

8. Bushfire Risk

The area of concern is the area to the south. The 3A will have to go to the Sydney office of the RFS. Riparian areas and isolated patch of vegetation. The maps will show the area as vegetated. A ground truth plan is needed to show that it is now not bushfire. The worry is that the fire might run up the cliff area.

However there don't seem to be any great problems but the site is mapped as bushfire prone and has to be sold to Sydney office of the RFS who just look at the plans. The roads need to be upgraded for fire access. A Bushfire Evacuation Plan will be developed before an occupation certificate is granted. There have to be 2 access points to the property.

9. Topography

This will form part of the site analysis and design and includes:

- Remediation
- Land form modification
- Geotech
- Protect gullies/buffers
- Sediment and erosion

10. Demolition

There needs to be controls for transport routes and a management plan.

11. Water Sensitive Urban Design

The site is in a sensitive location next to the Marine Park.

Stormwater management issues will need to be looked at. There is a drainage pipe through the adjoining property to the beach. There may be problems as the area behind is lower than the dunes. An infiltration system may be needed. Stormwater management is not to impact on adjoining properties or the Marine Park.

12. Services

Water

The trunk main will need upgrading. CHCC can model this and see what the requirements are.

Sewer

The pump station may need upgrading and the rising main. This needs to be investigated. Need to look at the existing credit from what is on the site. S94 applies to additional demands. Smells from existing pump station may be an issue. This is owned by the Council.

Electricity

Country Energy need to be consulted. Upgrades may be needed.

13. Car Access to Beach and Need for a Car Park

This issue needs to be addressed in relation to SEPP 71. Is this required under the CHCC open space strategy. Apparently it is not in any current strategy and CHCC does not favour this.

14. Aboriginal Cultural Heritage

A report will be required on this.

15. Site Analysis

The following is needed:

- Surrounding development
- Impacts on views of neighbours
- Solar and privacy impacts
- Interface with the beach
- Title restrictions (row etc)

16. Marine Park

The following will need to be addressed:

- Construction
- Water management
- Design and scale when viewed from park
- Beach access
- Ecological processes
- Vegetation management
- Dunal conditions

17. Landscape Response

18. Signage

How will the site be identified?

19. Traffic Study

20. Subdivision

Community title/built form strata subdivided/torrens title. No intention to have public roads. Neighbourhood lots. Private services. Staging of services and subdivision needs to be worked out. Don't want road dedicated. May need some dedication at the entrance.

21. Design

Local height. 4 storeys on highway is this in context? 20m setback. Highest point... is it in context (MH thinks not)

Acoustic issues

Coastal response

Provide recreation facilities

Adequate visitor parking on site.

There are 2 storeys on adjacent sites and it needs to be compatible.
Visual impact

Salt on buildings

Future applications will need to be signed off by the owners association

No applications without approval of community association.

Garbage disposal for all the buildings

Road design for trucks

Disabled access to facilities and beach (access consultant may be needed)

BASIX is applicable

Require separate water tanks for supply to units

May need a coordinated approach to the whole development.

22. Use

Limited area zoned for tourist accommodation in the city. Motel accommodation moving towards apartments. Impacts on tourism in Coffs. Economic impact assessment required. Is a mixed use development so this is OK. How to maintain a commitment under the subdivision arrangements. Needs to be canvassed under the community titles scheme. Commitment to a certain % of units being set aside for tourism or the owners of some may only be able to occupy for a certain time. A Business Plan is required.

Roads are permissible in the 7(a) zone but would only be supported if not removing vegetation.

23. Recycling

Should the existing building be demolished or can it be adapted or reused. Does it have value. What about other on the site infrastructure eg southern road access, swimming pool etc. Can they work in new site response.

24. Statutory

- Part 3A
- NCREP
- SEPPs
- Coastal Policy
- Coastal Design Guidelines

Sapphire Beach Development
**Proposed Sapphire Beach Lifestyle Resort –
Campbells Beach**
Feedback Form

Thank you for attending today's community information session. We value your comments on the material you have seen today, as well as any other issues you feel are relevant. Elton Consulting will collate the information and provide a report to Sapphire Beach Development as part of the environmental assessment. All the information you provide is confidential and unless requested, no individual will be identifiable in any reporting associated with the consultation.

a) What do you feel are the three most important factors for achieving positive outcomes for the site?

1.

2.

3.

b) Given the information on display today, is there any aspect of the proposal or the planning process you would like to see further addressed by the Sapphire Beach development project team?

c) Do you have any other comments or suggestions about the project?

d) Which best describes you? (please tick one or more ☒)

- ☐ A resident /landowner of a property immediately adjacent to, or opposite the site
- ☐ A resident of the surrounding area
- ☐ Other (organisation etc - please specify): _____

e) Contact details (optional)

If you would like to receive further updates and information, please feel free to leave us your contact details:

Name: _____

Postal address: _____

Email address: _____

Thank you for taking the time to complete this form. Please hand it to one of the consultants present tonight or place it in the box provided.

There will be further opportunity to make additional comments and submissions once the Department of Planning places the application on public exhibition.

For further information about the project, please contact Abbie Jeffs at Elton Consulting on tel (02) 9387 2600 or at abbie@elton.com.au

Thank you for your interest in this project and your valuable feedback.

Volumes 1

4. Compliance Schedule Planning Controls

APPENDIX 4
SAPPHIRE BEACH
CONCEPT PLAN
COMPLIANCE WITH PLANNING CONTROLS

Provision	Compliance	Comments
Environmental Protection and Biodiversity Conservation Act 1999		
<ul style="list-style-type: none"> Not to have an impact on matters of National Environmental Significance 	✓	No such matters exist in the site
Environmental Planning and Assessment Act		
Impact on threatened species and habitats	✓	No threatened species identified on the site and development will not impact on any
SEPP Major Projects		
Definition of a major project	✓	Proposal falls within the definition of a major project
SEPP 55 Remediation of Land		
On site contamination	✓	Remedial actions are not required on the site
SEPP 71 Coastal Protection		
Definition of significant coastal development	✓	Site is within 1 km of the coast
Master Plan Contents		
<ul style="list-style-type: none"> Design principles from site analysis and context 	✓	Site analysis was carried out and as a result the design principles were developed for the site to take into account the topography of the site, views and the existing environmentally significant areas on the site
<ul style="list-style-type: none"> Desired future locality character 	✓	A detailed analysis was carried out of the locality in which the site is located and the design has been developed to integrate the proposal into the natural environment in the area
<ul style="list-style-type: none"> Location of development on site considering natural features, coastal processes 	✓	The development has been located on the site away from the dune and coastal area and the significant vegetation has been integrated into the development proposal
<ul style="list-style-type: none"> Phasing of the development 	✓	The development will be undertaken in 4 stages over a period of 4-5 years subject to market demand
<ul style="list-style-type: none"> Public access to and along the coastal foreshore 	✓	Public access will be provided along the northern boundary of the site to the beach front
<ul style="list-style-type: none"> Pedestrian, cycle and road access and networks 	✓	Pedestrians and cyclists will have access to the roads within the site
<ul style="list-style-type: none"> Subdivision patterns 	✓	The subdivision pattern has been developed on the basis of the topography of the site and the environmental features on the site
<ul style="list-style-type: none"> Infrastructure provision 	✓	Infrastructure is available and will be sufficient for the development
<ul style="list-style-type: none"> Building envelopes and built form controls 	✓	The design includes building envelopes and built form controls have been developed for the site
<ul style="list-style-type: none"> Heritage conservation 	✓	There are no identified items of heritage significance on the site
<ul style="list-style-type: none"> Remediation of the site 	✓	Site remediation will not be required
<ul style="list-style-type: none"> Provision of public facilities and services 	✓	S 94 Contributions will be made to Council for such facilities and services in line with Council s94 Plans

<ul style="list-style-type: none"> Provision of open space, function and landscaping 	✓	Open space is provided on the site for the residents of the site and a public access way to the beach has been provided in the design
<ul style="list-style-type: none"> Conservation of water quality and use 	✓	The proposal for the site has been developed using the principles of Water Saving Urban Design
<ul style="list-style-type: none"> Conservation of animals 	✓	No threatened animals were found on the site. The existing area of significant vegetation will be preserved along with the animal habitats it provides
<ul style="list-style-type: none"> Conservation of fish 	✓	There will be no increase in the run off from the site to the Solitary Islands Marine Park
Matters for Consideration		
<ul style="list-style-type: none"> Existing public access to and along the foreshore for pedestrians to be retained and improved 	✓	Currently there is no formal public access through the site to the beach. An access way will be provided along the northern boundary of the site to the beach which will join up to the Coffs Harbour Coastal Walk
<ul style="list-style-type: none"> Opportunities to provide new public access to foreshore for pedestrians 	✓	New public access will be provided
<ul style="list-style-type: none"> Suitability of the development 	✓	It is considered that the development is suitable for the site as it is a tourist residential development and the land is zoned for this type of development. The bulk and scale of the proposal is similar to that of neighbouring properties and complies with the density controls for the site
<ul style="list-style-type: none"> Any detrimental impact on the foreshore including overshadowing and loss of views from public places 	✓	There is no overshadowing of the foreshore and no loss of views of the foreshore from public places
<ul style="list-style-type: none"> Scenic quality of the coast and means to protect and improve these qualities 	✓	The development has been designed to reflect the topography of the site and to fit in with the existing environmental features of the site. A detailed landscape master plan has been developed for the site and when implemented this will ensure that the development will be seen in a green context and against the green backdrop of the escarpment
<ul style="list-style-type: none"> Measures to conserve animals and their habitats 	✓	The existing significant vegetated area on the site and the habitats it provides will be retained. A Management Plan has been developed for the ongoing management of the vegetation on the site and the new planting on the site will be extensive.
<ul style="list-style-type: none"> Measures to conserve fish and marine vegetation 	✓	There will be no adverse impacts from the development on the Solitary Islands Marine Park
<ul style="list-style-type: none"> Likely impact of or on coastal processes and hazards 	✓	A detailed study has been carried out of the dune area and it has been concluded that there will be no impacts on coastal processes or hazards. The Management Plan provides for revegetation of the dune area and this will increase its stability
<ul style="list-style-type: none"> Measures to reduce potential for conflict between land based and water based activities 	✓	There are not likely to be conflicts as there are no extensive water based activities likely to occur in the environment of the site
<ul style="list-style-type: none"> Measures to protect cultural places and values 	✓	The site has been assessed for cultural values and it has been concluded that their presence is unlikely. However, a watching brief will be kept as the development progresses and measures will be put in place to deal with any finds should they occur
<ul style="list-style-type: none"> Likely impact of the development on water quality and coastal water bodies 	✓	There will be no increase in run off from the site so there will not be any adverse impacts on existing water quality in the area
<ul style="list-style-type: none"> Heritage conservation 	✓	A heritage study has been carried out and there are no heritage items on the site