



NSW GOVERNMENT  
**Department of Planning**

Contact: Ray Lawlor  
Phone: 02 9228 6216  
Fax: 02 9228 6540  
E-mail: ray.lawlor@planning.nsw.gov.au

Our ref: MP 06\_0148  
File: 9042977

Sapphire Beach Development Pty Limited  
C/- Mr W E Jenner  
Attentus Projects and Properties Pty Limited  
PO Box 1748  
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, torrens 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 at **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 at **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

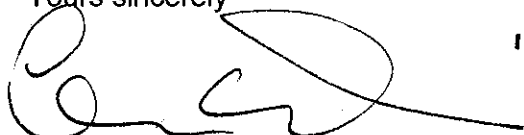
the Environmental Assessment does not adequately address the DGRs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent.

Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days. The Director-Generals requirements will be placed on the Departments 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 Departments 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](mailto:ray.lawlor@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Chris Wilson', written over a horizontal line.

18.7.06

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 629555 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 <b>Concept Plan</b> must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. An outline of the scope of the project including: <ul style="list-style-type: none"> <li>• any development options;</li> <li>• 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;</li> <li>• outline of the staged implementation of the project if applicable;</li> </ul> </li> <li>3. A thorough site analysis and description of the existing environment;</li> <li>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>;</li> <li>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;</li> <li>6. The plans and documents outlined in <b>Attachment 2</b>;</li> <li>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</li> <li>8. An assessment of the key issues specified below and a table outlining how these key issues have been addressed.</li> </ol>
	<p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> <li>1. <b>Design &amp; Visual Amenity and Impacts</b> <ol style="list-style-type: none"> <li>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</li> </ol> </li> </ol>

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 - Campbells 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 *Threatened Species Conservation Act 1995* 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><b>5. Noise</b></p> <p>5.1 Address potential road traffic noise impacts for future residents and appropriate mitigation measures.</p> <p><b>6. Water Cycle Management</b></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><b>7. Traffic and Vehicular Access</b></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"> <li>• The RTA's Coffs Harbour Pacific Highway Planning Strategy.</li> <li>• The capacity of the road network to safely and efficiently cater for the additional vehicular traffic generated.</li> <li>• Potential construction and operational impacts on existing intersection/s, in particular the Pacific Highway intersection.</li> <li>• Access through the site including use of existing driveways and avoiding steeper 'green' sections of the site.</li> </ul> <p><b>8. Infrastructure Provision</b></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><b>9. Heritage</b></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>
<p><b>Consultation</b></p>	<p>You should undertake an appropriate and justified level of consultation with relevant following parties during the preparation of the environmental assessment.</p> <p><i>(a) Agencies and other authorities:</i></p> <ul style="list-style-type: none"> <li>• Coffs Harbour City Council;</li> <li>• NSW Department of Natural Resources;</li> </ul>

	<ul style="list-style-type: none"> <li>• NSW Department of Environment and Conservation;</li> <li>• NSW Department of Primary Industries;</li> <li>• NSW Department of Lands;</li> <li>• NSW Rural Fire Service;</li> <li>• NSW Roads and Traffic Authority;</li> <li>• Solitary Islands Marine Park Authority;</li> <li>• Telstra;</li> <li>• Country Energy;</li> <li>• Commonwealth Department of Environment and Heritage;</li> <li>• Local Aboriginal Land Councils; and</li> </ul> <p>(b) <i>Public:</i> 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>
<b>Deemed refusal period</b>	120 days

## Attachment 2

### Plans and Documents to accompany the Application

#### Plans and Documents of the development


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:

1. The **existing site survey plan** is to be drawn to 1:500 scale (or other appropriate scale) and show:
  - 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 services, 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:
  - 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
  - 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.
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:
  - 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:-
  - 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 (Torrens, strata and/or community title).
  - Staging of the development and subdivision



	<p>7. The <b>shadow diagrams</b> 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 <b>Other plans</b> including (where relevant):</p> <ul style="list-style-type: none"> <li>• <b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management from the site;</li> <li>• <b>View analysis</b> - artists impression, photomontages, etc of the proposed development in the context of the surrounding development;</li> <li>• <b>Coloured elevations</b> - of the proposed buildings drawn to the same scale as the architectural drawings;</li> <li>• <b>Landscape Concept Plan</b> – 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).</li> </ul>
<b>Specialist advice</b>	<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"> <li>• Flora and Fauna;</li> <li>• Bushfire;</li> <li>• Traffic;</li> <li>• Landscaping;</li> <li>• Geotechnical and/or hydrogeological (groundwater);</li> <li>• stormwater/drainage;</li> <li>• Urban Design/Architectural;</li> <li>• Contamination in accordance with the requirements of SEPP 55;</li> <li>• Acid Sulphate Soil Management Plan;</li> <li>• On-site effluent disposal;</li> <li>• BCA compliance.</li> </ul>
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>• 10 hard copies of the Environmental Assessment;</li> <li>• 10 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below).</li> </ul>
<b>Electronic Documents</b>	<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"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• Graphic images will need to be provided as [.gif] files.</li> <li>• Photographic images should be provided as [.jpg] files.</li> <li>• Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each.</li> <li>• 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.</li> </ul>





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 of 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
<b>Biodiversity</b>	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC, 2004)
<b>Bushfire</b>	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
	<i>Australian Standard 3959 – Building in Bushfire Prone Areas</i>
<b>Coastal Planning &amp; Water bodies</b>	
	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)
<b>Heritage</b>	
	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)
<b>Lighting</b>	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, 1997, AS 4282)
<b>Noise &amp; Vibration</b>	
	Environmental Criteria for Road Traffic Noise (DEC, June, 1999)
	Noise Guide for Local Government (DEC, 2004)
<b>Soils &amp; Contamination</b>	
	Acid Sulfate Soil Manual (Acid Sulfate Soils Management & Advisory Committee [ASSMAC], 1998; published by DUAP)
<b>Sustainability</b>	
	BASIX – <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
<b>Traffic, Transport &amp; Pedestrian &amp; Cyclist Facilities</b>	
	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
<b>Water</b>	
<b>Water Quality</b>	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
	Marine Water Quality Objectives for NSW Ocean Waters (DEC, 1999)