



NSW GOVERNMENT
Department of Planning

Contact: Paula Tomkins
Phone: (02) 9228 6397
Fax: (02) 9228 6540
Email: paula.tomkins@planning.nsw.gov.au
Our ref: MP06_0148
Your ref:
File: 9042977-2

Mr Bill Jenner
Attentus Projects and Properties
Level 3, 225 Miller St
NORTH SYDNEY NSW 2060

Dear Mr Jenner,

**Subject: 740-742 Pacific Highway, Sapphire Beach – Department of Planning's
comments on Environmental Assessment**

I refer to your Environmental Assessment (EA) for the proposed redevelopment of Pelican Beach Resort, 740-742 Pacific Highway, Sapphire Beach, lodged with the Department on 25 August 2006 and accepted on 12 September 2006.

As mentioned in our previous correspondence, the Department has undertaken a review of the Environmental Assessment. The Department's comments raised during this review are provided at **Attachment 1**. The key issues that the Department is concerned with are:

- Coastal Processes
- Stormwater Management
- Site Stability
- Design

It is requested that a response to the Department's comments be submitted within 3 weeks from the date of this letter.

If you have any queries regarding this letter, please contact Paula Tomkins on 9228 6397 or via email to paula.tomkins@planning.nsw.gov.au.

Yours sincerely

Heather Warton
Director
Urban and Coastal Assessments

20-11-06

Key Issues**1. Coastal Processes**

- The Department has concerns in regard to the adequacy of proposed setbacks for the buildings and detention basin from the foreshore due to the risks presented from coastal hazards. These concerns are based on the following:
 - a. The recession rates provided in the Geomarine (1998) report for this section of Campbells Beach at 0.2m³/m/yr are the highest recorded for the beach.
 - b. Council requires residential developments to be free from the effects of coastal processes for a period of 100 years. Based on the estimated recession rates of the dune, estimated sea level rise as a result of climate change and estimated storm bite, the detention basin would be lost. In addition, the location of the building envelopes do not allow for inaccuracies in these estimates.
 - c. The coastal hazards assessment states that the dune crest at the subject site is between 5m and 6m AHD and has the potential for oceanic inundation during storm events.
 - d. There is very little existing vegetation on the dunes (particularly in the southern section of the site) to protect the site from coastal hazards. Any revegetation works would take time to establish and stabilise the site from these hazards.

Please provide further justification for the setbacks with specific consideration of climate change, sea level rise, and the occurrence of more frequent and intense storms.

- It is recommended that you contact Robert Kasmarick, Department of Natural Resources, Coffs Harbour (ph 6653 0109) in this regard.

2. Stormwater

- The Department has concerns in regard to the location of the stormwater detention basin seaward of Council's 100 year hazard planning line (please address in accordance with point 1 above).
- It is noted that runoff from the development would infiltrate into the soil and be transported to the ocean. Please provide further information on measures proposed for the treatment of runoff to ensure compliance with water quality guidelines and reduction in impacts on the foreshore and Solitary Islands Marine Park.
- In certain conditions, runoff in the proposed detention basin would flow to the adjacent property to the north. Please provide further information on the potential impacts of this flow and options proposed to mitigate these impacts.

3. Design

- 117 dwellings are proposed on the subject site although it is requested that, if the concept plan is approved, flexibility be allowed so that the total number of dwellings can be varied. Further direction is required as to the maximum number of dwellings that will be proposed on the site to ensure an adequate assessment of the potential impacts of the concept plan.
- The Department has concerns in regard to the potential visual impacts on foreshore land resulting from the linear design of the proposed beachfront houses. Please provide further assessment of the impacts of these buildings with respect to concepts identified in the Coastal Design Guidelines.
- It is noted that some of the existing open space in the northeast of the site would be privatised as yards for individual dwellings in the concept plan. The provision of community

open space needs to be maximised allowing for public access along the foreshore in accordance with the NSW Coastal Policy 1997. Access for persons with a disability should also be addressed.

- The Department has concerns with the perceived bulk of the upper level tourist apartment buildings. Although it is noted that the DCP height limit in this area is 14m, please demonstrate what measures are being implemented to ensure the buildings will be integrated into the existing environment. Photomontages may be useful in this regard.

4. Site Stability

- The Department has concerns in regard to site stability and its ability to accommodate the proposed buildings. Please identify the extent of cut and fill requirements across the site. In particular the Department is concerned with the filling required for the beachfront homes and its potential impacts on the proposed buildings, adjoining properties and the dunal system.

Further Information Required

5. Traffic

- The traffic assessment shows that the access intersection of the site with the Pacific Highway currently operates at Level of Service F. It is likely that the proposal would be built (at least in part) prior to the Roads and Traffic Authority's upgrade of the Highway. If the proposal is built prior to the completion of the Highway upgrade then the access intersection would need to be upgraded to allow for the increased traffic. A concept for the intersection upgrade should be agreed with the RTA and included as part of the concept plan.
- It is recommended that you consult with Greg Sciffer, RTA Grafton (ph 6640 1344) in this regard.

6. Noise

- It is noted that the relevant ECRTN criteria are exceeded in the northwest of the subject site. As building envelopes are proposed in this area, potential measures to mitigate noise impacts need to be identified.

7. Bushfire

- The access road along the northern boundary of the subject site will have a gradient in excess of guidelines set out in Planning for Bushfire Protection. Please justify the gradient of this access road with respect to comments provided by the Rural Fire Service.

8. Groundwater

- Potential impacts of the proposal on groundwater have not been considered. Identify whether the groundwater table will be intersected by the development, any likely impacts and how they can be mitigated.

9. Flora and Fauna

- It is noted that the proposed buildings would overshadow the 7A zoned vegetation. Please identify the extent of overshadowing and the potential impacts of the proposal on this area.
- The flora and fauna assessment does not clearly identify whether any of the listed threatened species have been recorded on the site. Provide a map indicating the location of recorded threatened species on the site.
- Please clearly identify whether the development would result in the removal of native vegetation.

- The proposal requires the relocation of pandanus trees. Please address the potential impacts of this relocation and include management measures to be implemented prior to, during and following relocation.
- The flora and fauna assessment identifies a number of threatened species with the potential to occur on the site. Please provide a separate 7 part test for each species with the potential to be impacted by the proposal.
- A Powerful Owl was recorded during surveys. Clearly identify whether the site may provide habitat resources and the potential impacts of the proposal on this species. Please include reference to the draft recovery plan for this species in the 7 part test.

10. Infrastructure

- It is noted that the existing electricity infrastructure has been determined to be adequate for the proposal as electricity usage will approximately equal the existing resort usage. The Department considers that the proposal is likely to increase electricity usage as wholly self-contained homes will use more power than resort suites. Please clarify whether the existing system has adequate capacity for the proposal.

Attachment 1**Summary of issues raised in public submissions for MP06-0148**

Total number of submissions received: 15 (15 in objection, 0 in support)

Comment		Number of times issue raised
1 Urban Design		
• The proposal scale and density is out of context with surrounding development and has little regard for the site constraints.		5
• Setbacks to adjacent properties are not sufficient to allow privacy for surrounding residents.		4
• The proposal will result in a loss of open space. Open space proposed is not sufficient for the potential residents.		4
• The height of the proposed buildings will overshadow surrounding buildings.		2
• The proposal does not meet the goals and aims of Council's Settlement Strategy to maintain and improve diversity in the Sapphire Beach area.		2
• There is no provision to ensure that the applicant will not increase unit numbers in the future.		1
2 Overdevelopment		
• The proposal will add to current oversupply of luxury dwellings on the northern beaches of Coffs Harbour. Many residences remain unsold after long periods. Population projections suggest there will be limited demand for units of the type proposed.		3
• The intended number of dwellings is excessive for the size of land.		1
3 Visual Impacts		
• The proposal would impact on both ocean views from adjacent properties and landward views from the foreshore.		6
• The proposal will result in visual impacts during construction.		1
4 Traffic, access and parking		
• The proposal will increase existing traffic and worsen the existing dangerous conditions on the Pacific Highway at the access to the development, particularly through increasing heavy vehicles during the construction period		7
• The proposal underestimates the requirements for parking. Parking on surrounding streets will become increasingly difficult, particularly at holiday times.		3
• The proposal should not be approved until it is clear what the RTA is proposing for the Pacific Highway Upgrade.		2
• The access way and road network within the subject site will not be safe for residents or guests.		2
• The traffic report is likely to have underestimated peak period traffic as tests were conducted outside these times.		1
• The proposal should include a lay by for buses and a shelter.		1
• Concern that there may be an attempt to create vehicular access between the development and Coachmans Close.		1
• Concern that if the streets within the subject site remain private public access will not be allowed.		1

5 Flora and Fauna		
• The development would remove coastal vegetation from the dunes which stabilises this area and provides habitat.	6	
• A number of threatened species occur on the site. A Species Impact Statement is required for the proposal.	2	
• Marine life may be impacted as a result of pollution from the development.	1	
6 Water Management		
• The proposed development would increase stormwater and exacerbate localised flooding on the adjacent property.	3	
• The proposal has the potential to discharge polluted water to Solitary Islands Marine Park.	1	
• The EA does not consider the effects of the potential of a large storm event combined with a large tidal event.	1	
• The EA should include justification that the system proposed is the best option and identify the eventual discharge point for stormwater.	1	
7 Coastal Processes		
• The proposal falls with 50m of the mean high water mark, increasing pressure on the foreshore area. Development should not occur in this area without the implementation of specific safeguards to ensure ongoing protection of this area.	6	
• The location of the beachfront houses means that they will be at risk of inundation and destruction from storm surge.	1	
8 Infrastructure		
• The proposal would place additional strain on the existing sewerage system. Existing odour impacts on adjacent residents would worsen as a result of the proposal. The system should be upgraded.	6	
• The proposal would require more electricity than the current resort resulting in the current system requiring an upgrade.	1	
• Garbage collection has not been addressed.	1	
9 Noise		
• The proposal will result in noise impacts on surrounding residents during both construction and operation. Measures must be implemented to ensure surrounding residents are not impacted.	7	
• The proposal should not be approved when proposed residences would be exposed to noise levels that fail ECRTN criteria.	2	
10 Access to Beach		
• The proposal will limit public access to the beach for pedestrians with no area allowed for public parking. As it is on private land the access may be closed in the future.	3	
• No more access points to the beach should be created.	1	
11 EA Content		
• The EA does not recognise the residential area adjacent to the north of the subject site.	1	
• The proposal does not identify Council's coastal walkway or an area of crown land shown on LEP maps.	1	

12 Air Quality		
• The proposal would compromise existing air quality, especially during construction.		4
13 Contamination		
• Council has stated that previous land uses may have resulted in contamination of the site but no testing has been done.		1
• There is the potential for asbestos and lead based paints on site. Demolition of existing structures would need to ensure there are no impacts on surrounding residents.		1
14 Socioeconomic		
• Concern at loss of jobs from existing resort.		1
• The proposed development will result in devaluation of existing properties, particularly during construction.		4



NSW DEPARTMENT OF
PRIMARY INDUSTRIES

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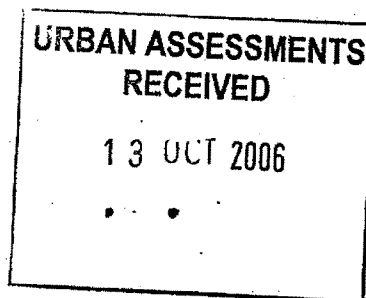
Our Ref:

Ms Heather Warton
Director, Urban Assessments
GPO Box 39
SYDNEY NSW 2001

10 October 2006

Attention: Ms Paula Tomkins

Dear Ms Tomkins



Re: Key Issues & Assessment Requirements MP06-0148 Residential & tourist development (Sapphire Beach Resort) 740 – 742 Pacific HWY Coffs Harbour

Thank you for your recent letter requesting the Department of Primary Industries (DPI) outline assessment requirements for the above mentioned proposal. There are no mining, agricultural or forestry issues.

Fisheries Issues

DPI responsibility covers managing fish (including aquatic invertebrates), and fish habitat throughout NSW. In addition, the department works to provide viable commercial and quality recreational fishing, and aquaculture opportunities.

DPI raises no fish habitat issues but highlight that achieving safe public access to the beach and fishing opportunities is important for recreational fishing. Landscaping at each entrance to the walkway needs to ensure that the proposed development not restrict or create an atmosphere not conducive to use by recreational fishers or other beach users. Clear distinction between public and private space is recommended.

If you have any further enquiries regarding fisheries issues please contact me on (02) 6626 1397.

Yours sincerely

Patrick Dwyer
Fisheries Conservation Manager (North)

FISHERIES MANAGEMENT DIVISION
AQUATIC HABITAT PROTECTION BRANCH

1243 Bruxner Highway
WOLLONGBAR NSW 2477

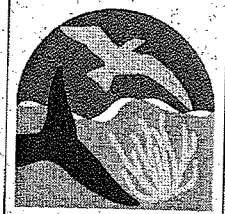
ABN 51 734 124 190
www.dpi.nsw.gov.au
Tel: 02 6626 1269
Fax: 02 6626 1377

Paula Tomkins
Department of Planning
GPO Box 39
SYDNEY NSW 2001

3 October 2006

URBAN ASSESSMENTS
RECEIVED

12 OCT 2006



Marine Parks
Authority

Solitary Islands Marine Park
PO Box J297
Coffs Harbour Jetty
NSW 2450

Telephone: 02 6652 3977
Facsimile: 02 6651 1440

Dear Paula

**MAJOR PROJECT 06_0418 – RESIDENTIAL & TOURIST DEVELOPMENT
(SAPPHIRE BEACH)**

Thank you for the opportunity to comment on the above major project. The Marine Parks Authority (MPA) has reviewed the information supplied with your letter. As the proposed site has already been highly modified it is unlikely there will be any significant additional impacts to the Solitary Islands Marine Park as a result of this project.

However, there is potential for sediment laden runoff from the site during the construction phase that may affect the Solitary Islands Marine Park. The MPA requests that a suitable sediment and erosion control plan be developed, implemented and monitored to protect the marine park from possible pollution events.

The MPA recognises that vegetation along the shore will be retained at current levels and in some instances enhanced. The MPA would like to see vegetation and the natural dunal system reinstated as much as possible to protect the shoreline from oceanic processes and to re-establish some natural functioning of foreshore.

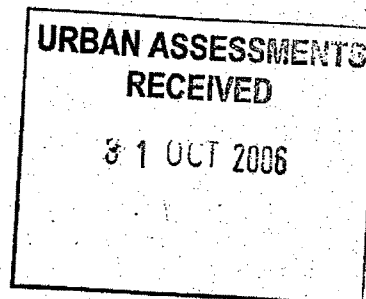
If you would like to discuss this matter further please contact David Greenhalgh on 6652 0915.

Yours sincerely,

NICOLA JOHNSTONE
Marine Park Manager
Solitary Islands Marine Park
NSW Marine Parks Authority

FAXED
27/10/06

Our reference : GR 1889/04 DOC 06/20374
Contact : Kirsty Sutherland, (02) 66402513



Director
Urban and Coastal Assessments
Department of Planning NSW
GPO Box 39
SYDNEY NSW 2001

Re W

31/10/06

To

Michael

hasellad

27 OCT 2006

Dear Ms Warton

Major Project 06_0148 – Residential and tourist development (Sapphire Beach Resort), 740 – 742 Pacific Highway, Coffs Harbour.

I refer to the Project Application, Environmental Assessment, and accompanying information provided for the above proposal received by the Department of Environment and Conservation (DEC) on 26 September 2006.

The DEC has reviewed the information provided and has determined that it is able to support the proposal in its current form, subject to an adequate assessment of the following issue:

ABORIGINAL HERITAGE

It is considered that the Aboriginal cultural heritage impact assessment of the subject site is inadequate given that there has been no consultation with the Aboriginal community.

It is recommended that Aboriginal community consultation be undertaken with regard to the proposal and that it be guided by the *draft Guidelines for Aboriginal Cultural heritage Impact Assessment* and the DEC's *Interim Community Consultation Requirements for Applicants* (the Guidelines). The Aboriginal community are the primary determinants of the significance of their heritage, and consultation needs to occur to ensure that their concerns are taken fully into account. Information arising out of consultation allows for the consideration of Aboriginal community views about significance and potential impacts, as well as the merits of management or mitigation measures to be considered in an informed way.

It is acknowledged that the Coffs Harbour and District Local Aboriginal Land Council (LALC) have been consulted. The LALC consider that the above process will ensure other members of the Aboriginal community such as Elders and/or other knowledge holders of Aboriginal heritage will be considered in the proposed development. It is understood that the hind dune area at the site may contain Aboriginal midden materials, furthermore, it should be noted that Aboriginal burials are commonly located within midden sites.

A search of the DEC Aboriginal Heritage Information Management System (AHIMS) registered Aboriginal sites and places should also be included in the Environmental Assessment. Enquiries regarding the DEC AHIMS can be made to the DEC Aboriginal Sites Registrar on (02) 9585 6444.

If you have any inquiries regarding the above comments in relation to Aboriginal cultural heritage please contact Maxine Nadine on (02) 66598225. Inquiries concerning other matters should be directed to Kirsty Sutherland on (02) 66402513.

Yours sincerely



JON KEATS
Head Industry and Waste Unit North Coast
Environment Protection and Regulation

Mc M 2/11/06

All communications to be addressed to:

Headquarters
NSW Rural Fire Service
Locked Mail Bag 17
GRANVILLE NSW 2142

Telephone: (02) 8741 5555

Headquarters
NSW Rural Fire Service
15 Carter Street
HOMEBUSH BAY NSW 2127

Facsimile: (02) 8741 5550



Director, Coastal Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Paula Tomkins

URBAN ASSESSMENTS
RECEIVED

02 NOV 2006

Ref: MP 06-0148

Our Ref: S06/0035
G06/3007

25 October 2006

Dear Madam,

**ENVIRONMENTAL ASSESSMENT UNDER PART 3A - RESIDENTIAL AND
TOURIST DEVELOPMENT 740-742 PACIFIC HIGHWAY, COFFS HARBOUR**

I refer to your letter providing the Environmental Assessment for the above property for assessment under Part 3A of the *Environmental Planning and Assessment Act 1979* and the requirement for the issuing of our General Terms of approval for a Bush Fire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

Based upon an assessment of the plans and documentation received for the proposal, the NSW Rural Fire Service is prepared to grant a Bush Fire Safety Authority subject the payment of the \$250.00 integrated development fee and the following conditions:

1. There shall be a minimum Asset Protection Zone of 10 metres from the hazard to the proposed buildings surrounding the 7(a) retained vegetation which shall be maintained as an 'Inner Protection Area' (IPA) as outlined within Section 4.2.2(b) in Planning for Bushfire Protection 2001.
2. The entire property shall be managed as an 'Inner Protection Area' as outlined within Section 4.2.2(b) in Planning for Bushfire Protection 2001.
3. The internal access roads shall comply with Section 4.3.1 Planning for Bushfire Protection 2001.
4. Construction shall comply with AS3959 - 1999 Level 1 'Construction of Buildings in bushfire prone areas'.
5. Roofing shall be gutterless or have leafless guttering and valleys which are to be screened with non corrosive mesh to prevent the build up of flammable material. Any materials used shall have a Flammability Index no greater than 5.

Michael:

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Pr 3A provisions

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6. A Bush Fire Management Plan is to be prepared that addresses the following requirements;
 - 1) Contact person / department and details.
 - 2) Schedule & description of works for the construction of Asset Protection Zones and their continued maintenance.
7. A Bush Fire Evacuation Plan is to be submitted to the NSW Rural Fire Service - Development Control Services for approval prior to occupation. The evacuation plan is to detail the following:
 - a) Under what circumstances will the complex be evacuated.
 - b) Where will all persons will be evacuated to.
 - c) Roles and responsibilities of persons co-ordinating the evacuation.
 - d) Roles and responsibilities of persons remaining with the complex after evacuation.
 - e) A procedure to contact the NSW Rural Fire Service District Office / NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

For any enquires regarding this correspondence please contact Ashley West.

Yours faithfully,

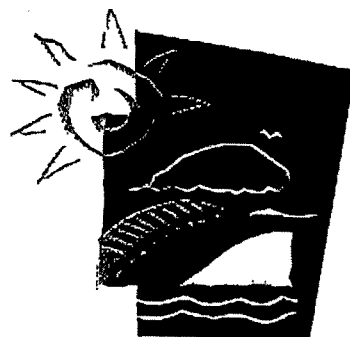


Lew Short

Rev. **Manager, Development Control**

COFFS HARBOUR CITY COUNCIL

Our ref: 1514541 (DA 337/07)
8 November 2006



Ms Paula Tomkins
Urban and Coastal Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Ms Tomkins

Major Project Application MP06-0148
Residential and Tourist development (Sapphire Beach Resort)
740-742 Pacific Highway, Coffs Harbour

Reference is made to the above Major Project Application, MP06-0148, for a Concept Plan approval for the construction of a residential tourist development at 740-742 Pacific Highway, Sapphire.

The following comments are provided for the Departments consideration. The comments summarise those matters considered by Council as important for resolution prior to sign off of the Concept Plan.

- **Stormwater Management**

As stormwater will be directed to neighbouring lots relevant owners' consents and easements are required to be obtained to support such arrangements.

- **Landform Modification**

Filling of the site, where proposed, may impact on adjoining properties and developments. Impacts of this activity requires investigation and resolution.

- **Sewerage Provision**

The proponent should confirm that there is sufficient capacity within the existing reticulated sewerage system, including pumping stations, to accommodate the proposal, and if there is insufficient capacity provide a commitment to upgrade.

- **On Site Parking**

Due to the locational aspects of the site (Pacific Highway frontage with no on-street parking availability) adequate parking must be provided within the site, to include visitor spaces, staff spaces, bus parking, set-down and pick-up spaces. This aspect of the proposal requires investigation and response as this component may affect the final site layout.

/2

- Communications to: The General Manager, Locked Bag 155, Coffs Harbour 2450 - Administration Building, 2 Castle Street, Coffs Harbour • Tel: (02) 6648 4000
- Fax: (02) 6648 4199 • DX: 7559 • ABN 79 126 214 487
- Email: coffs.council@chcc.nsw.gov.au
- Website: www.coffsharbour.nsw.gov.au



- 2 -

- **Public Transport**

The development should have access to a bus stop. The developer should liaise with the RTA on this aspect of the proposal in refining site access off the Highway and pedestrian access from the site to the bus stop.

- **Disability Access and Facilities**

The topography of the site requires a specific design response to ensure complying access and facilities for persons with a disability (from the upper level of the site through to the beach access). This component may impact on site layout.

- **Construction noise and vibration**

The developer should commit to a site specific construction noise and vibration management plan covering demolition and staged construction works having regard to the proximity and nature of adjoining and nearby land uses.

- **Contaminated Land**

The "Phase 1 Preliminary Site Environmental Investigation" prepared by David Lane Associates dated March 2006, does not address Councils Agricultural Chemical Residues Policy. The Policy relates to land used for banana agriculture, and part of the land has been mapped by Council as such. The proponent should have the assessment reviewed to accord with the Policy and consider the NSW EPA Contaminated Sites "Guidelines for Assessing Banana Plantation Sites" (1997). The review should consider the nature of the historic buildings with respect to potential hotspot assessment (ie. if they were banana packing sheds or similar).

- **Coastal Walk – connection from Highway to beach**

The connection of the coastal walk through the site to the Highway is endorsed however the gradient of this connection is considered unsuitable for normal pedestrian use. Accordingly the location/construction of this connection requires review.

- **Signature Trees**

The proposed removal of a significant number of signature trees from the site should be reviewed. The concept proposes the removal of approximately 70% of established trees on site, including a number of significant native and signature trees eg. Tuckeroos, pandanus, hoop pines. Can the project be redesigned to preserve established signature trees on the site?

- **Beachfront Homes and Dune-Urban Design Response**

The proposed configuration, extent and area of private recreation space for the Beachfront Homes appears excessive (at the expense of quality "whole of site" community space that may include picnic/seating and open lawn areas for active play). This aspect requires review.

The consistent "straight line" alignment of the Beachfront Homes is considered too dominant an edge for the coastal setting. This aspect of the project requires a design review.

- 3.-

Side boundary setbacks to the Beachfront Homes requires redesign to incorporate increased and improved common landscape buffers to the coastal walk connection (north) and to the adjoining southern property boundary.

- **Upper Apartments and Highway Elevation**

The proposed height, bulk and setback of the Upper Apartments is not considered to be in context or scale with the subject site (the tallest structure on the high point of the property) or with adjoining developments. In addition, there is limited landscape screening opportunity to address visual impact and scale considerations. This design aspect of the proposal requires review.

For further information please contact Mark Hannon on (02) 6648 4631.

Yours faithfully

Mark Salter
Director of Land Use, Health & Development

Per:

MSH:njj



File No: I10.5395/N00815 06/1755
Mr Greg Sciffer

Director, Urban and Coastal Assessments
Department of Planning
23-33 Bridge St
SYDNEY NSW 2000

Major Project No 06-0148, Residential and Tourist Development.
Sapphire Beach Resort, Pacific Highway, Sapphire

Dear Sir/ Madam

You are advised that the Regional Development Committee (RDC) met on 20 October 2006 at Coffs Harbour City Council Chambers to discuss the above development application.

The proposed development was considered by the RDC and the following comments in relation to road safety and traffic management were made:

- This section of the Pacific Highway will be upgraded as part of the Coffs Highway Planning Scheme. The RTA can not guarantee that the current standard of access will be provided in the future. Grade separated interchanges are planned at Split Solitary Road and Korora. Ultimately no right-turns will be permitted into and out of local connections between the interchanges.
- The existing highway will be at capacity by 2011.
- If the proposed development proceeds prior to the upgrade of the highway it will be fully responsible to mitigate its impacts on the highway at no cost to the RTA.
- The traffic study indicates either a continuous centrally raised median/u-turn bays or seagull is required to manage right-turning traffic. Both these options will have an impact on Campbell Close.
- Existing left-turn deceleration and acceleration lanes out of the site will need to be upgraded to AUSTROADS standards.
- Further discussions are required to negotiate the traffic management arrangements and the standard of road works that will be required on the highway so they can be conditioned.
- Consideration must be given to the management of school children's connection to buses. School children should not be permitted to cross a multi-lane highway in a 100km/h area.
- Provisions should be made for a shared public cycleway path through the development that connects to the existing or proposed network.
- Public pedestrian access should be provided by easement or right-of-way to the beach.

- 2 -

At this time the RDC recommended that the proposed development application should be deferred until the scope of road works for access to the Pacific Highway can be resolved with the RTA.

Yours faithfully



Greg Evans *for*
A/Regional Manager, Northern Region
3.11.06

Copy: The General Manager
Coffs Harbour City Council
Locked Bag 155
COFFS HARBOUR NSW 2450



NSW Government

DEPARTMENT OF NATURAL RESOURCES

Contact: Linden Bird
Phone: (02)6653 0121
Fax: (02) 6653 0144
Email: linden.bird@dnr.nsw.gov.au

Ms Heather Warton
Director Urban and Coastal Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Our ref: inq150
Your ref: MP06_148
File: CH101502

Attention: Ms Paula Tomkins

3 November 2006

Dear Sir/Madam

Subject: Major Project 06_0148 - Residential and Tourist Development (Sapphire Beach Resort), 740-742 Pacific Highway, Coffs Harbour

Thank you for your letter of 25 September regarding the above major application. I apologise for the delay in responding.

The Department of Natural Resources (DNR) has a number of concerns and suggestions as follows:

Coastal Management Plan

Coffs Harbour City Council has recently commenced preparation of its Local Government Area (LGA) Coastal Zone Management Plan. The adoption of this plan and its gazettal will ensure this, and other future proposed developments in or close to coastal hazards, are assessed within a regional perspective using Ecologically Sustainable Development (ESD) principles.

Therefore, it is recommended that the determination of this proposed development not be made until Council has completed, adopted and gazetted the Coffs Harbour LGA Coastal Zone Management Plan.

Coastal Hazard Planning Lines

It appears that buildings would be constructed landward of the 100 year hazard planning line. However, the design should clarify the location of the proposed building envelopes in relation to the 100 year hazard line.

Oceanic Inundation

The southern section of the site may have the potential for oceanic inundation during storm events as the dune crest is below 6m AHD.

It is understood that the proposed minimum floor height is shown as 7.5m AHD. However, it may be more prudent that the proposed development design should include consideration and design of suitable foundations for structures to make them capable of withstanding forces possible under conditions of wave overtopping of the front dune.

Stormwater Management and the Detention Basin

No final approval or recommendations can be made until the developer provides detailed engineering plans submitted for the detention basin. The design should include details of stormwater overflow and pipe capacities for design storms.

Particular areas of concern over this issue are as follows:

1. The proposed 10 metre minimum setback of the detention basin to cater for beach erosion (storm bite) has the potential to be lost as a result of a storm bite, this could create a situation where the proposed detention basin could also be lost under the combined conditions of storm waves and elevated ocean levels. This could place the development at further risk to coastal hazards.
2. As a general rule, this level of infrastructure within the 100 year coastal hazard planning line is not encouraged, especially given the potential for cumulative impacts of coastline hazards under the above scenario. It is suggested that the stormwater system be placed to the west of the most eastern line of buildings with a re-assessment of the capability of the 750mm stormwater pipe (Figure 03 of Volume 2 of the report) to carry the relevant volumes of stormwater.
3. It should be noted that it is DNR's North Coast policy that groundwater quality is to be maintained. A Groundwater Management Plan may be required if the proposed development intersects the groundwater table. DNR's North Coast policy is not supportive of direct groundwater disposal of untreated stormwater. A Groundwater Licence under Part 5 of the Water Act (1912) may be required if the groundwater table is intersected. Information would be required from the proponent on measures to ensure groundwater quality is retained if excavations intersected the groundwater table.

Public Access

To be consistent with the NSW Government's Coastal Policy 1997 the proposed development should either maintain or enhance public access to the beach.

The present provision for public access appears to be extremely restricted by the available parking spaces which can be easily missed or the potential to block the walkway.

In addition, it is noted that the lot boundaries of this subject site crosses onto Campbells Beach, to the mean high water mark. It is recommended that negotiations be entered into to return this, and the land east of the 100 year coastal hazard planning line, to the Regional Park system that is along the Coffs Coast, jointly managed by the Coffs Harbour City Council, Department of Lands and the Department of Environment and Conservation.

Should you have any further queries regarding this matter please do not hesitate to contact me on the above number.

Yours sincerely

Linden Bird
Local Planning Coordinator, Coffs Harbour Office
Natural Resource Planning