



NSW GOVERNMENT
Department of Planning

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Ms Sonja Lyneham
Managing Director
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SYDNEY NSW 2001

Our ref: MP 06_0133
File: 9042756

Dear Ms Lyneham

Blue Dolphin Redevelopment, Yamba Road, Yamba (MP 06_0133)

The Department has received your letter dated 28 September 2006 regarding the above Major Project. On 6 July 2006, the Minister for Planning authorised a concept plan application for redevelopment of the Blue Dolphin Holiday Resort. We understand that the proponent, Mariner Financial Limited, is now seeking approval for a community title subdivision of the entire site (including a strata title subdivision of Stage 1) and construction of the Stage 1 residential apartments.

The subdivision and Stage 1 components of the Blue Dolphin proposal may be assessed as part of the concept plan application. However, the Director-General's Environmental Assessment Requirements (DGR's) previously issued for the concept plan application do not include sufficient detail for the two additional components.

Additional DGRs have been prepared for the environmental assessment of the subdivision and Stage 1 components and are attached to this correspondence at **Attachment 1**. The Environmental Assessment (EA) (including all documentation and plans) submitted to the Department on 3 August 2006, should be amended and substituted with an amended EA to address these additional DGRs. The amended EA should be presented in such a way that it is clear that there are three components of the proposal under assessment. Cross-referencing between sections and components of the proposal should be logical and only used where considered absolutely necessary.

It should be noted that the additional DGRs have been prepared based on the information provided to date. Under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, 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.

Attachment 2 lists the additional relevant plans and documents which are also required upon submission of the revised EA.

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

If you have any queries regarding this matter, please contact Sally Laing on 02 9228 6498 or via e-mail to sally.laing@planning.nsw.gov.au.

Yours sincerely,

19.10.06


Chris Wilson
Executive Director
Major Projects Assessment

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Attachment 1 Additional Director-General's Environmental Assessment Requirements

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

Application number	06_0133
Project	Blue Dolphin Redevelopment
Location	Yamba Rd, Yamba
Proponent	Mariner Financial Pty Ltd
Date issued	
Expiry date	2 years from date of issue
Key issues	<p>The following key issues are in addition to the Director-Generals Environmental Assessment Requirements issued by the Department of Planning on 18 July 2006 for the concept plan application.</p> <p>The Environmental Assessment must address the following additional key issues for the <u>Community Title Subdivision</u> component of the application:</p> <ol style="list-style-type: none"> 1. Subdivision Layout, Desired Future Character and Sustainability <ol style="list-style-type: none"> 1.1 Assess the suitability of the proposed development with the surrounding area; subdivision design; pedestrian & bicycle movement to, within and through the site; 1.2 Provide details of proposed staging and assessment of implications in terms of impact on subdivision design and infrastructure provision. 1.3 Consider the <i>Coastal Design Guidelines for NSW</i>, SEPP 71 – Coastal Protection and Maclean Shire Council's <i>DCP Subdivision Guidelines</i>. 1.4 Address appropriate subdivision layout/s. 1.5 Identify areas of community title and strata title control and management. 2. Water Management <ol style="list-style-type: none"> 2.1 Provide an Integrated Water Cycle Management (IWCM) Plan (including stormwater concept) based upon Water Sensitive Urban Design Principles. This should include an appropriate sediment and erosion control regime and water quality and stormwater management provisions to safeguard the aquatic environment of the Clarence River and mitigate impacts on water quality downstream. 2.2 Address the requirements of Clarence Valley Council's <i>Sustainable Water DCP 2004</i> and Maclean Shire Council's <i>DCP Subdivision Guidelines</i> with regards to Water Cycle Management. 2.3 Address measures to ensure that the layout and design of street, drainage and infrastructure systems support urban water cycle management objectives, including incorporation of Water Sensitive Urban Design principles. 3. Watercourses and Watercourse Crossings <ol style="list-style-type: none"> 3.1 Provide suitable design and construction methodology of any constructed watercourses and watercourse crossings on the site (e.g. road bridges), which should be undertaken in accordance with the Department of Primary Industries' <i>Policy and Guidelines for Fish Friendly Waterway Crossings (2004)</i> and <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004)</i>.

	<p>3.2 Provide details of strategies for retention and replanting of native riparian vegetation to protect receiving waters from erosion and runoff and benefit fish habitat.</p> <p>3.3 Provide details of any dredging or reclamation that may be required as part of development works in waterways (such as intermittent streams) for the development.</p> <p>The Environmental Assessment must address the following additional key issues for the <u>Construction of 46 Residential Apartments (Stage 1)</u> component of your application:</p> <p>1. Design, Visual Impacts and Design Quality Principles</p> <p>1.1 Address consistency with the character of development in terms of the locality, street frontage, scale, built form, aesthetics, energy and water efficiency and safety.</p> <p>1.2 Consider the provisions of Maclean Shire Council's <i>DCP for Residential Development</i>.</p> <p>2. Infrastructure Provision</p> <p>2.1 Address existing capacity and requirements of the development for sewerage, water and electricity in consultation with relevant agencies;</p> <p>2.2 Identify staging, if any, of infrastructure works;</p> <p>2.3 Address provision of public services and infrastructure having regard to the Council's Section 94 Contribution Plan.</p> <p>3. Integrated Water Cycle Management</p> <p>3.1 Address measures within building design and site management that are complimentary to the operation of the natural water cycle and to water sustainability.</p> <p>3.2 Address the requirements of Clarence Valley Council's <i>Sustainable Water DCP 2004</i>.</p> <p>4. Flooding</p> <p>4.1 Provide a detailed assessment of the risk of flooding at the site due to proximity of the Clarence River and the Pacific Ocean.</p> <p>4.2 Provide a detailed assessment of proposal against the relevant provisions of the <i>Floodplain Development Manual</i> (NSW Government, April 2005), Clarence Valley LEP 2000, and Lower Clarence River Floodplain Management Plan (1999). Particular reference should be made to Council's Floor Level Policy and the Lower Clarence River Flood Study Review (March 2004).</p> <p>Note: The assessment should include a detailed understanding of flood behaviour across a full range of floods (including the Probable Maximum Flood event) for catchment and ocean based flooding; their likelihood of occurrence; associated consequences in terms of danger to personal safety; access and evacuation requirements in the event of a major flood; the flooding impact of filling and/or bunding on surrounding properties; and, proposed mitigation measures.</p>
Deemed Refusal Period	120 days

Attachment 2

Additional Plans and Documents to accompany the Application

<p>Plans and Documents of the development</p>	<p>The following additional plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for the <u>Community Title Subdivision</u> component of your application:</p> <ol style="list-style-type: none"> 1. Detailed subdivision layout plans to show the following:- <ul style="list-style-type: none"> • The location, boundary dimensions, site area and north point of the land, and names of roads fronting the land; • Title showing the description of the land with lot and DP numbers etc; • Existing and proposed subdivision pattern including all measurements and sites areas of existing and proposed allotments; • Location and details of all proposed roads and footpaths; • Location of all structures proposed and retained on site; • Cross sections of roads, including gradients, widths, road names, footpaths etc. • Existing and proposed finished levels in relation to roads, footpaths and structures; • Location and details of access points to the subdivision; • Existing vegetation on the land and vegetation to be retained; • Location of services and infrastructure, and proposed methods of draining the land; • Any easements, covenants or other restrictions either existing or proposed on the site; • Type of subdivision proposed (Torrens, strata and/or community title). 2. Demolition & Waste Management Plan – where demolition is proposed, a plan which addresses demolition and construction wastes that may be generated including likely quantities, proposed disposal destinations and best practices for safe handling and disposal in accordance with WorkCover's Occupational Health and Safety requirements must be provided; 3. Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site. <p>The following additional plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for the <u>Construction of 46 Residential Apartments (Stage 1)</u> component of your application::</p> <ol style="list-style-type: none"> 1. The Architectural drawings (where relevant) are to be drawn to scale and illustrate the following: <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • the floor plans of the proposed buildings indicating apartment location, layout, size and orientation; • the location and size of vertical and horizontal circulation of lifts, stairs and corridors; • section plans illustrating detailed sections of the proposed facades; • fenestrations, balconies and other features; • communal facilities and servicing points; • the height of the proposed development in relation to the land; • any changes that will be made to the level of the land by
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	<ul style="list-style-type: none"> excavation, filling or otherwise; the level of the lowest floor, the level of any yard or unbuilt area and the level of the ground; parking arrangements, where vehicles will enter and leave the site, and how vehicles will move about the site; pedestrian access to, through and within the site. <p>2. Stormwater Management Plan – a plan that illustrates the concept for the management of stormwater quality and quantity on the site. In particular the plan must include details of any major overland flow paths through the site and any discharge points to the street drainage system. Where an on-site detention system is required, the type and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided. This Plan must demonstrate the 20% Annual Exceedance Probability (AEP) (5yr), 5% AEP (20yr) and 1% AEP (100yr) and storm events for the developed site are restricted to pre-developed flows.</p> <p>3. Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</p> <p>4. Landscaping 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, spread, number of plants to be utilised, and surface treatments (i.e. pavers, lawn etc);</p> <p>5. Demolition & Waste Management Plan – where demolition is proposed, a plan which addresses demolition and construction wastes that may be generated including likely quantities, proposed disposal destinations and best practices for safe handling and disposal in accordance with WorkCover's Occupational Health and Safety requirements must be provided;</p> <p>6. Construction Management Plan – a plan which outlines traffic and pedestrian management during construction and management of impacts on amenity of adjoining properties and appropriate mitigation measures including noise, dust and sediment and erosion controls; and,</p> <p>7. BASIX – compliance details and relevant certificates.</p>
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; Flooding 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; BCA compliance.
Documents to be submitted	<ul style="list-style-type: none"> 1 hard copy of the Environmental Assessment; 1 set 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

	<p>(PDF format), not exceeding 5Mb in size (see below).</p> <p>Note: An additional 10 to 15 hard copies of the Environmental Assessment and associated documentation may be requested once the Environmental Assessment has been deemed to be adequate.</p>
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 [.gif] files. • Photographic images should be provided as [.jpg] files. • Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. • Images inserted into the document will need to be calibrated to produce files smaller than 1.5Mb. Large images will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. The file names will need to be clear and logical so the Department can publish them in the correct order. <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>