



NSW GOVERNMENT
Department of Planning

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Our ref: 08_0006

Tony Tuxworth
Coastplan Consulting
PO Box 6179
KINCUMBER NSW 2251

Dear Mr Tuxworth

Subject: Proposed Extension to an Existing Eco-Tourist Facility, 210 Eggins Drive, Arrawarra (Lot 34 DP 600591) (08_0006)

The Department has received your application for the proposed tourist resort at 210 Eggins Drive, Arrawarra in the Coffs Harbour local government area.

The Director-General's Environmental Assessment Requirements (DGRs) for the environmental assessment of the project application are attached to this correspondence at **Attachment 1**. These requirements have been prepared in consultation with the relevant government agencies including Coffs Harbour City Council.

The Department requests that the Environmental Assessment (EA) adequately justify the number of proposed long term caravan sites, having particular regard to Section 6 of the Draft Mid North Coast Regional Strategy, the definition of an 'eco-tourism facility' in the *Coffs Harbour City Local Environmental Plan 2000* (Coffs Harbour LEP 2000), and the location of the facility in a 7(a) Habitat and Catchment Zone. In accordance with the Coffs Harbour LEP 2000, the facility should be used primarily for tourist accommodation and should not have a deleterious effect on the ecology of the location.

Attachment 2 lists the relevant plans and documents which are likely to be required upon submission of your proposal.

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.

If the EA is not exhibited within 2 years of the date of issue of these requirements, you should consult further with the Director-General in relation to the preparation of the EA.

Please contact the Department at least two weeks before you propose to submit the EA for the project to determine:

- the fees applicable to the application. Note that you will need to provide a signed statement from a Quantity Surveyor to verify the capital investment value of the project;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy & CD-ROM) of the EA that will be required.

A list of some relevant technical and policy guidelines which may assist in the preparation of the EA are attached at **Attachment 3**.

Prior to exhibiting the EA, 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 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 your proposal includes any actions that could have a significant impact on matters of National Environmental Significance (NES), it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Commonwealth Department of the Environment, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to have a significant impact on matters of NES and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of NES. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary DGRs will need to be issued.

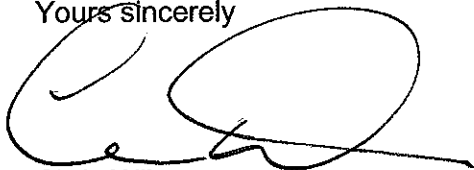
Please note that under section 75U of the Act, Part 3A applications do not require certain permits/approvals required under other legislation. These matters are assessed as part of the Part 3A process. For example, Section 87 permits and Section 90 consents under the *National Parks and Wildlife Act 1974* are not required for Part 3A applications. Section 75U applies from the date of issue of the DGRs.

Notwithstanding, the Department still requires an equivalent level of information within the EA as would ordinarily be required for the issue of any such permit/approval to enable an assessment of the relevant works. Please notify the Department should any sub-surface testing be required during the preparation of your EA.

Copies of responses from government agencies to the Department's request for key issues and assessment requirements are enclosed at **Attachment 4**. Please note that these responses have been provided to you for information only and do not form part of the DGRs for the EA.

If you have any queries regarding these requirements, please contact Sally Munk on 9228 6498 or email sally.munk@planning.nsw.gov.au.

Yours Sincerely



21.11.08

Chris Wilson
Executive Director
Major Project Assessments
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
08_0006
Project
Proposed extension to an existing eco-tourist facility
Location
210 Eggins Drive, Arrawarra, Lot 34 DP 600591, Coffs Harbour Local Government Area
Proponent
AWP Holdings Pty Ltd
Date issued
General requirements
<p>The Environmental Assessment (EA) for the Project Application 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 including constraints mapping 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; 5. Consideration of the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; 6. Consideration of impacts, if any, on matters of National Environmental Significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>; 7. 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; 8. An assessment of the key issues specified below and a table outlining how and where these key issues have been addressed in the EA; 9. The plans and documents outlined in Attachment 2; and, 10. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.

Key Issues	
The EA must address the following key issues:	
1. Strategic Planning	
1.1	Justify the proposal with reference to relevant local, regional and State planning strategies. Provide justification for any inconsistencies with these planning strategies.
1.2	Justify the need for the proposal with reference to <i>State Environmental Planning Policy 21 – Caravan Parks</i> , and the <i>Draft Mid North Coast Regional Strategy</i> , having particular regard to the suitability of the site for additional long-term / permanent caravan sites.
2. Urban Design and Management	
2.1	Demonstrate suitability of the proposal with the surrounding area in relation to bulk, scale, amenity (including noise) and visual amenity having regard to the <i>Coastal Design Guidelines of NSW (2003)</i> , the <i>NSW Coastal Policy 1997</i> and <i>SEPP71 – Coastal Protection</i> .
2.2	Outline the long-term management and maintenance of any areas of open space or conservation including ownership and control, management and maintenance funding, public access, revegetation and rehabilitation works and bushfire management. Outline how the proposed open space areas and recreational facilities link and complement surrounding facilities.
2.3	Outline how the proposal involves education and interpretation of the natural environment.
2.4	Provide a Building Management Plan providing details in relation to occupancy, management systems, use of amenities and facilities and body corporate roles and responsibilities etc. Include detail on ownership (private or central management), proposed subdivision method (if proposed) and any covenants proposed to control use and occupation of the long-term sites and tourist buildings.
2.5	Demonstrate that the tourist cabins will not be used for permanent accommodation and that that the facility will primarily be used for tourist accommodation or recreation, or both. Provide details of appropriate mechanisms, including restrictive covenants to ensure that tourist cabins are used for short stay tourist uses only.
3. Visual Impact	
3.1	Address the visual impact of the proposal in the context of surrounding development and relevant mitigation measures. In particular address impacts on the amenity of the foreshore, overshadowing of public reserves, loss of views from public places and cumulative impacts.
3.2	Use visual aids such as scale model or photomontage to demonstrate visual impacts.
3.3	Amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas must be addressed.
3.4	An indicative external materials and finishes schedule is to be submitted.
4. Infrastructure Provision	
4.1	Address existing capacity and requirements of the development for sewerage, water, stormwater, electricity, waste disposal, telecommunications and gas in consultation with relevant agencies. Identify and describe staging, if any, of infrastructure works.
4.2	Address and provide the likely scope of any planning agreement and/or developer contributions with Council/ Government agencies.
5. Traffic and Access	
5.1	Prepare a traffic impact study in accordance with Table 2.1 of the RTA's Guide to Traffic Generating Developments.
5.2	Protect existing public access to and along the beach and coastal foreshore and provide, where appropriate, new opportunities for controlled public access. Consider access for the disabled, where appropriate.
5.3	Consideration of the Pacific Highway Planning Strategy.

6. Hazard Management and Mitigation	
<i>Coastal Processes</i>	
6.1	Address coastal hazards and the provisions of the Coastline Management Manual. In particular consider impacts associated with wave and wind action, coastal erosion, potential sea level rise and more frequent and intense storms.
<i>Contamination</i>	
6.2	Identify any contamination on site and appropriate mitigation measures in accordance with the provisions of SEPP 55 – Remediation of Land.
<i>Acid Sulfate Soils</i>	
6.3	Identify the presence and extent of acid sulfate soils on the site and, where relevant, outline appropriate mitigation measures.
<i>Bushfire</i>	
6.4	Address the requirements of Planning for Bushfire Protection 2006 (RFS).
<i>Geotechnical</i>	
6.5	Provide an assessment of any geotechnical limitations that may occur on the site and if necessary, identify appropriate design considerations that address these limitations.
<i>Flooding</i>	
6.6	Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of sea level rise and an increase in rainfall intensity.
6.7	Consider the potential impacts of any filling on the flood regime of the site and adjacent lands and where necessary, identify appropriate mitigation measures.
7. Water Cycle Management	
7.1	Identify and outline measures for Integrated Water Cycle Management (including stormwater) based on Water Sensitive Urban Design principles which addresses impacts on the surrounding environment, drainage and water quality controls for the catchment, and erosion and sedimentation controls at construction and operational stages.
7.2	Prepare conceptual design layout plan for preferred stormwater treatment train showing location, size and key functional elements of each part of the system.
7.3	Consider the nature and profile of the groundwater regime under the site, and any hydrologic impacts which would affect its depth or water quality, result in increased groundwater discharge, impact on the stability of potential acid sulfate soils in the vicinity, or affect groundwater dependent native vegetation.
8. Heritage and Archaeology	
8.1	Identify whether the site has any items or areas of Aboriginal significance and identify appropriate measures to preserve any significance. The assessment must address the information and consultation requirements of the draft <i>Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation</i> and <i>Interim Community Consultation Requirements for Applicants</i> .
8.2	Identify any items of European heritage significance and, where relevant, provide measures for the conservation of such items.
9. Flora and Fauna	
9.1	Assess the potential impacts of the development on flora and fauna taking into consideration impacts on any threatened species, populations, endangered ecological communities and/or critical habitat and any relevant recovery plan in accordance with DECC's <i>Guidelines for Threatened Species Assessment</i> (2005). Demonstrate how the proposal will avoid, minimise or

	offset the likely impacts on threatened species and their habitats, having particular regard for the Coffs Harbour City Council's Koala Plan of Management.
9.2	Outline measures for the conservation of existing wildlife corridor values, buffer zones and/or connective importance of any vegetation on the subject land.
9.3	Assess potential impacts of the development on the SEPP 14 Wetland No.314 and aquatic habitats and threatened species, having particular regard for the Oxleyan Pygmy Perch.
10. Noise	
10.1	Address potential noise impacts, in particular road traffic noise from the Pacific Highway, for future residents and appropriate mitigation measures.
11. Social Impact & Equity	
11.1	Prepare a socio-economic impact statement that incorporates equity considerations having regard to accommodation types, economic impacts (affordability), employment, investment, community networks, public realm, human services, community facilities and services and access to such services/facilities.
Consultation	
You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:	
(a) <i>Agencies or other authorities:</i>	
<ul style="list-style-type: none"> • Commonwealth Department of the Environment, Water, Heritage and the Arts; • Coffs Harbour Council; • Department of Environment and Climate Change; • Department of Primary Industries; • NSW Rural Fire Service; • Department of Water and Energy; • Roads and Traffic Authority; • Department of Lands; • NSW Police Service; • State Emergency Service; • Northern Rivers Catchment Management Authority; • Local Aboriginal Land Council/s and other Aboriginal community groups; and • Infrastructure providers. 	
(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.	
The consultation process and the issues raised should be described in the Environmental Assessment.	
Deemed Refusal Period	
60 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. An aerial photograph of the subject site with the site boundary superimposed. 3. 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.). 4. 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; • significant natural features and water courses, conservation areas, sensitive natural areas and their setbacks; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes; and <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> 5. A zoning plan must be provided which shows the existing zoning overlaid with the proposed development layout. An extract of the land use table or relevant clauses from the subject LEP is required. 6. Site layout plans are 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; • 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 site;
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- 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;

7. The **Architectural drawings** are to show the following:

- the location of proposed new buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development;
- floor plans showing layout, partitioning, room sizes and intended uses of each part of the building;
- elevations and sections. The elevations are to indicate height and key datum lines, building length and articulation, the composition of the façade and roof design, building entries (pedestrian, vehicular and service), and profile of buildings on adjacent properties.
- building perspectives showing external finishes, materials and heights;
- the height of the proposed development in relation to the land;
- significant level changes;
- proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate);
- proposed landscaping and treatment of the land (indicating plant types and their height at maturity);
- provisions of access and facilities for people with a disability; and,
- pedestrian access to, through and within the site.

8. **Stormwater Concept Plan** - illustrating the concept for stormwater management for the site and must include details of any major overland flow paths through the site, stormwater treatment train and any discharge points to the street drainage system. Where an on-site detention system is required, the type, size and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided;

9. **Landscape Concept Plan** – plan or drawing that shows:

- building footprint of the proposal,
- proposed site entries,
- ramps, stairs and retaining wall levels,
- lines of fencing, security and access points,
- built elements (pergolas, walls, planters, water features),
- trees to remain and trees to be removed,
- deep soil zones,
- 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);

10. **Concept Vegetation Management Plan** – outlining the existing environmental values and protection of these values, weed management, landform modification works, bushfire considerations, and the management and maintenance regime for areas of open space.

11. **View analysis** – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development; and

12. **Shadow Diagrams** – diagrams showing solar access to the site and adjacent properties, including the public reserve, at summer solstice

	(Dec 21), winter solstice (Jun 21) and the equinox (Mar 21 and Sept 21) at 9am, 12 midday, 3pm and 6.30pm.
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"> • Planning • Flora and Fauna; • Bushfire; • Landscaping; • Geotechnical and/or hydrogeological (groundwater); • Stormwater/drainage; • Urban Design/Architectural; • Contamination; and • Acid Sulphate Soils.
Documents to be submitted	<ul style="list-style-type: none"> • Both hard copy and electronic versions of the Environmental Assessment will be required to be submitted. Please contact the Department prior to submitting your Environmental Assessment to determine how many copies will be required. • If the Environmental Assessment is bulky, you will be required to package up each Environmental Assessment ready for distribution by the Department to key agencies.
Electronic Documents	<p>Electronic documents presented to the Department for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> ▪ All files should be approximately 5 Mb. ▪ Large files of more than 5 Mb will need to be broken down and supplied as different files.

Attachment 3

State Government 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
Biodiversity	
Flora and Fauna	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Department of Planning 2005)
	Threatened Species Management Manual (NPWS, 1998)
Fish and Aquatic Ecosystems	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
Coastal Planning	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, NSW Government, 1997
	Coastal Design Guidelines for NSW, PlanningNSW, February 2003
	NSW Wetlands Management Policy (DLWC, March 1996)
Bushfire	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
Contamination of Land	
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
Environmental Management Systems	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)
Heritage	
Aboriginal	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A (Planning 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
Non-Indigenous	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	NSW Heritage Manual (NSW Heritage Office, 1996)
Noise	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
Rehabilitation	
	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"

Aspect	Policy /Methodology
Safety and Hazards	Electrical Safety Guidelines (Integral Energy)
Soils	Acid Sulfate Soil Manual (ASSMAC)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
Traffic & Transport	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
	Guide to Traffic Generating Developments (RTA, 2002)
Urban Design: Cycleway/Pathway Design	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
Water	Water quality guidelines for the protection of aquatic ecosystems for upland rivers. (ANZECC, 2000)
Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
	Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)
Groundwater	NSW State Groundwater Quality Protection Policy (DLWC, 1998, 0 7313 0379 2)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
Waterways	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)

Attachment 4
Agency Responses to Request for Key Issues
- For Information Only